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POLITICAL SCIENCE QUARTERLY.

POLICE ADMINISTRATION.

THE word "police" has a wide variety of meanings. Etymologically it signifies the entire public activity of the city-state; and in Germany to-day police administration includes the whole sphere of internal governmental administration. In a somewhat more limited sense, the word is used in the United States to indicate a sphere of governmental action that is definable only to this extent, that it excludes foreign relations and the economic functions of government. The police power of the American states extends to all matters that affect public order and the moral and physical health of the community. In this paper, however, the word "police" is used in its narrowest sense, to denote the special machinery for the preservation of order and the prevention and detection of crime. This machinery is found more particularly in modern urban municipalities. It consists of an organized and disciplined force of men for the systematic patrol of the public ways and of special magistrates for dealing summarily with the large mass of minor cases which demand prompt decision.

Such machinery in its present form is of recent origin; and, indeed, it is closely connected with the growth of densely populated urban communities. In ancient Rome there was a systematic police administration, at first under the control of the ædiles, who date from the third century of the city; while under the Empire a more perfect organization was created.

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The municipalities of the Roman Empire also had some system of police, modelled after that in Rome. During the feudal centuries, however, we find no trace of any organized police systems, although the manorial lords exercised police jurisdiction in connection with their judicial administration. In the medieval free cities this police jurisdiction passed from the lords to the city authorities, but there was no patrol service or organized police force in the modern sense of the word.

I. *Evolution of the Modern Municipal Police.*

The first steps towards the modern system were taken in France. Under Philip of Valois there were definitely established at Paris in 1327 a number of *commissaires*, royal officers distinct from the judicial system, with power to conduct preliminary examinations and investigations in the enforcement of law and order. In other towns in France no attempt was made to separate the police magistracy from the judicial system until 1514, when similar *commissaires* were appointed in each royal *bailliage*. The beginnings of an organized police force may be dated from the establishment in 1356 of a military body known as the *maréchaussée*, to take cognizance of crimes committed by soldiers in the king's service. The jurisdiction of this force included deserters from the army, and thus reached one important class of those likely to cause public disturbances; in time its authority was extended to include all assaults, robberies and murders committed on the highways; and it is from this body, reorganized in 1720, that the present *gendarmerie* of France has developed.

An important step in the development of a systematic police patrol of urban communities was the creation of a lieutenant of police for Paris in 1667, under whom was a body of soldiers acting as guards for the city. In 1669 a lieutenant of police was appointed by the king for each town in France where there was a *parlement* or presidial court, and later the system was extended to other provincial cities.

The police arrangements of Paris continued to be the most

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advanced in any European city, and a description of the system there in 1763 will indicate the highest development reached up to that time. There were then forty-eight *commissaires* of police, whose duties resembled those of the English justices of the peace; but the offices in France were salaried and were filled by men of a lower social standing than the English country justices. The patrol force consisted altogether of 750 men, of whom 600 constituted practically a military force, armed and disciplined, and one-third of them mounted. The day force did not attempt any continuous patrol of the streets, but was stationed at certain posts, ready to act in case of an unusual public disturbance. The night patrol was more systematic; but it is significant of the conditions of the time that the guards performed their duty not individually, but always in small bands.[1]

In other French cities there was less attempt at a systematic patrol of the streets than in the capital. Indeed, the police system for the whole of France, which was under the immediate control of a royal minister, was a political organization, whose principal function was the detection and suppression of attacks on the government, while the maintenance of peace and order was but incidental. Some of the German states had a less developed but similar centralized police system, mainly political in nature. Even in Berlin there seems to have been no regular day patrol, and the night watch at the middle of the eighteenth century consisted of but fifty-four men.[2] For the suppression of serious outbreaks in the cities, the military forces were called into action.

Urban police arrangements in England at the end of the eighteenth century were even more primitive than those in the continental cities. The primary feature in the English system was the justice of the peace, an office dating from the reign of Edward III. The justices were appointed by the crown; but, as they were chosen from the local gentry, served without salary and were subject to no active administrative control by

[1] W. Mildmay, Police of Paris (1763), pp. 43 ff.
[2] *Revue des Deux Mondes*, CCXXVII, 159.

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the central government, they were in practice independent local officials, radically different from the *commissaires* of police in the French system. Each justice had under his direction a small number of parish constables, who were in no sense trained officers, but persons serving transiently and acting mainly under specific instructions from the justices. In the towns the inhabitants were charged by the statute of Winchester[1] with the additional duty of watch and ward; but this service, like that of the justices, was entirely gratuitous, and no effective watch was maintained.

This system of unpaid justices and constables, which had worked satisfactorily under rural conditions, did not prove adapted to urban communities. The first step towards a change was made during the latter part of the eighteenth century, when certain boroughs and London parishes received special Parliamentary authority to employ a force of paid night watchmen and to levy a local rate for their support. The watchmen appointed were, however, poorly paid; they followed regular occupations during the day, and they were subject to no training or discipline. Moreover, with the increase of urban population, the work of the justices became so great and at the same time so repulsive that men of standing withdrew from the task, and the places were occupied by men attracted by the opportunities for pecuniary gain and extortion. About the middle of the eighteenth century a responsible presiding magistrate with a salary was appointed to the Bow Street Court in the city of London,[2] and the improved conditions that followed gave to that court a deserved celebrity in the annals of the time. But the numerous population outside of the jurisdiction of the city magistrate was not affected by this change; and it was not until 1792 that a law was enacted (the Middlesex Justices Bill) providing for the metropolitan community seven additional police officers, with permanent salaried magistrates.

The constable and night-watch systems had remained up to this time in their former crudeness. Their inadequacy to the

[1] 3 Edward I, ch. iv.

[2] The novelist Fielding at one time occupied this position.

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urban conditions which had arisen was more especially shown in London, where the jurisdiction of a watch commission never extended beyond a single parish, and in some parishes there were several watch commissions, St. Pancras having no less than eighteen. Thus it often happened that the watchman on one side of a street could not help one on the other side, because they were in different parishes or watch districts. At the same time, many metropolitan parishes had no systematic night watch, and in a few cases there were no night watchmen at all.[1] Each magistrate had a small body of police officers attached to his court, but their duties were confined to the execution of specific orders and there was no system of day patrol. The inevitable result of such conditions was a startling prevalence of crime and disorder, while in cases of serious disturbance peace was preserved only by the display of military force.

A small improvement was made in 1805, when a patrol was organized for the central part of London during the early hours of the night. But it was not until 1828 that the great step was taken in the passage of Peel's Act. This swept away the old parochial organizations for police purposes in the metropolis, and established a new constabulary force for the entire district, under commissioners appointed by the crown — the first modern police force in the world. The act provided for a thoroughly organized corps of policemen, subject to strict training and discipline; a systematic day and night patrol of the whole area, which was divided into sections and definite beats for each officer; a force of reserves stationed at the police headquarters, and mobilizing arrangements for suppressing serious tumults.[2] As first established, the new system did not abolish the police of the city of London, the Thames River police or the constables of the magistrates; but in 1839 the latter two classes were absorbed, and in the same year the city reorganized its police force on the new model.

This new police system in London was bitterly attacked, as "one of the greatest inroads on the principles and practice of

[1] *Contemporary Review*, LV, 624. [2] *Edinburgh Review*, XCVI, 1.

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the British Constitution that modern times have witnessed."[1] The new police officer was styled a mercenary, a hireling, a slave of the executive, charged with detestable duties and entrusted with arbitrary power. Nevertheless, the main features of the system, with the exception of direct control by the central government, were rapidly adopted in other British cities. The Municipal Corporations Act of 1835 authorized the organization of police corps in all boroughs, each force to be under the control of the mayor and the watch committee of the council; and by 1840, when the metropolitan force consisted of some 3500 men, that of Liverpool had 600 men, Manchester 325 and Birmingham 300. In 1839 the formation of county police for the smaller towns and rural districts was authorized. In 1856 the system of county police was made compulsory; and at the same time a scheme of inspection of all the local police by the central government was organized, in connection with subsidies paid by the central government towards the cost of the local police.

Early arrangements for the preservation of peace and order in American cities were much the same as in the English towns; and the establishment of a well-organized police system in this country followed after the new English system was well under way. Thus, in New York city in 1840, when the population numbered 310,000, the police consisted of two constables elected in each of the seventeen wards, a body of about 100 men called mayor's marshals, a night watch of some 300 citizens who during the day pursued their occupations as cartmen, stevedores, porters, *etc.*, and about 100 other officials with a large variety of titles, such as wardens, bell ringers and inspectors of various kinds.[2] There was evidently no systematic day patrol and the various classes of officials had no effective organization. Philadelphia in 1833 had a body of twenty-four day policemen and 120 night watchmen. Boston in 1849 had twenty-two day police and twenty night watchmen, each class forming an entirely distinct force. Other cities had

[1] *Blackwood's Magazine*, XXIX, 85.

[2] Costello, Our Police Protectors, p. 102; *Scribner's Magazine*, XVI, 342.

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similarly small bodies of constables and police officers, with a considerable number of night watchmen; but in no case was there any efficient organization, training or discipline in the service.

A legislative statute of May, 1844, abolished the long list of officials in New York city and provided for a single body of police; and about a year afterward the new system went into operation. The new force consisted of 800 men. The chief was appointed by the mayor, with the consent of the council; while the captains and men were appointed annually in each ward by the alderman, assistant alderman and assessor from the ward. It is obvious that with such a method of appointment the police system could not become a permanent force, while the defective discipline and organization are indicated by the fact that the members of the force prevented the adoption of a uniform. In 1853 some changes were introduced which effected considerable improvement. The mayor, recorder and city judge were created a board of police commissioners, with full power of appointing members of the force, who were to hold their positions during good behavior, thus establishing a permanent force capable of discipline and organized action. By degrees, too, a uniform was introduced and was accepted by the men.

The example of New York was soon followed by other cities. In 1850 a police district was created, including Philadelphia and its suburbs, in which an organized police force of 800 men was established.[1] By the extension of the boundaries of Philadelphia in 1853, this force became a branch of the government of the enlarged city. It was not, however, until 1860 that uniforms were adopted for the Philadelphia police. In Boston the dual system of watch and police was abolished in 1854 and the Boston Police Department established with 250 men.[2] The Baltimore police force was established in 1857 with 350 uniformed officers.[3]

[1] H. O. Sprogle, The Philadelphia Police.
[2] E. H. Savage, The Boston Watch and Police.
[3] De Francias Folsom, Our Police.

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Up to this time the police in American cities had been entirely under the control of local officials. But in 1857 the New York legislature established a metropolitan police district, including New York city, Brooklyn and surrounding territory, and created a state commission to control the police administration in this district. Similar state police boards were provided for Baltimore in 1860, St. Louis and Chicago in 1861, Detroit in 1865 and Cleveland in 1866. In the last-named city the state board continued only two years; in Chicago, only until 1865; and that in New York was abolished in 1870. The Detroit state board, however, continued until 1891; the Baltimore and St. Louis boards are still state authorities; while more recently other state boards for particular cities have been established, notably for Boston in 1885 and for Cincinnati in 1886.

On the continent of Europe there have also been important developments in police administration during the present century. In 1812 Prussia established a military *gendarmerie* on the general lines of the French organization,[1] and in 1830 authorized the municipal authorities of any city where no garrison was stationed to establish a local police force.[2] But for the continent in general the military was, during the first half of the century, the most important factor in maintaining order. Thus, the civil police of Paris in 1854 consisted of only 450 men on patrol duty and 300 other men on special duties,[3] while the main task of preserving peace fell to small garrisons of soldiers in various parts of the city. In that year, however, the police system of Paris was reorganized, somewhat on the lines of the London police. The soldiers were removed and a systematic patrol system established, with a force of 3000 men. This body was under the direct control of the central government, which paid a part of the additional expense of the new system. Since that time, in other continental cities the main features of the English system have been adopted, but the

[1] Bornhak, Preussisches Verwaltungsrecht, II, 126.
[2] Von Ronne, Staatsrecht der Preuss. Monarchie, II, 2, p. 98.
[3] Block, Administration de Paris, p. 767.

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police on the continent of Europe remain even now a more military body than the English police.

At the present time, not only in the large urban centres throughout the world, but also in every considerable town in Europe and America, there is to be found an organized, uniformed and disciplined police force. The various bodies in Great Britain aggregate 45,000 men ; and in the United States, in cities of over 30,000 population, there are 28,000 policemen. The metropolitan police of London, numbering 15,000 men, is by far the largest force under a single direction ; the Paris police includes about 9000 men; that of New York 7500, Berlin 4500, Vienna 3500, Chicago 3000, Philadelphia 2400. In the smaller cities the size of the force is not only less absolutely, but — and this is significant — is in every country less in proportion to population than in the largest cities. Cities of about 50,000 inhabitants frequently have not more than five or six policemen to each 10,000 of population ; in cities of about 100,000 population the number of policemen usually averages at least ten per 10,000 ; where the population is as large as half a million, there are generally somewhere near fifteen policemen per 10,000 ; while of the largest cities New York has twenty, London twenty-four, Berlin twenty-five and Paris over thirty policemen to each 10,000 inhabitants.

This increasing proportion of policemen in the larger cities emphasizes what has already been indicated in noting the recent development of the present police system, that there is a close relation between urban conditions and the police patrol. In a thinly settled community crowds cannot easily gather, the residents are well known to each other and strangers are quickly noted. Under these conditions violations of law and order can be readily traced and wrongdoers quickly apprehended. But in a densely populated city, where outsiders continually come and go, and where even the inhabitants are strangers to one another, there are large opportunities for criminals to escape and for riotous disturbances to develop. It is these conditions which have led to the development of a systematic and disciplined police ; and, since the conditions are accentuated in the

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larger cities, these great urban communities demand a more than proportional development of their police system. This rule is, like all such empirical rules, true only in the main; and exceptional conditions demand unusual police strength in some cities not of the largest size, as in Dublin, Calcutta and some of the principal cities of South America. In the United States, cities in the South, including Washington, have a larger proportion of policemen than the northern cities, probably on account of the large negro population. Other variations are not so easily explained. Thus, it is not evident why Detroit, New Haven, Albany and Troy should find it necessary to have a larger police force than most cities of the same population, or why Chicago, Cleveland and Denver have a smaller force than the average.[1]

II. *Organization of Municipal Police.*

Since the police force of each city forms a distinct corps, the system of organization in different cities varies widely; but, nevertheless, some general features in the organization of the trained uniformed force can be noted.

In very small cities the only division of labor is that between the head of the force and the small body of privates or patrolmen; but when the force is somewhat larger, it is usually organized after the model of a military company. In the first rank above the patrolmen are certain officers, called in America roundsmen or sergeants, who make periodic tours of the city to make sure that the patrolmen are at their posts. Above these is a lieutenant or sergeant, stationed at headquarters, over whom is the captain or chief. For the larger cities this organization becomes a unit in a more complex system. The city is divided into a number of police districts, or precincts, each of which has a station and a detachment of men organized in a way similar to that just described, while above the various precinct captains is the chief of police for the entire city. In the great cities the precincts are organized in groups, each

[1] *Cf.* Bulletin of the Department of Labor, September, 1900.

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group having at its head an officer intermediate between the chief and the captains. The metropolitan cities find necessary additional intermediate offices, so that in New York, for example, the hierarchy of police officers is: Chief, deputy chiefs, inspectors, captains, sergeants, roundsmen and patrolmen. Moreover, in the large cities there are also organized special detachments outside of the regular precinct organization, such as the mounted squad, the bicycle squad, the river or harbor police, the sanitary police and the detective bureau.

Over the permanent corps of disciplined, trained and uniformed police there is a system of external non-professional control. But while the organization of the permanent force is in general along the lines indicated, the methods of control are not only far from uniform but represent radically different ideas. These differences exist both in the composition of the lay authority and in its relation to the central governments and municipalities.

As to the composition of the higher police authority, there are two principal systems: that of the board or committee and that of the single head. The latter is practically universal throughout continental Europe, where the *maire*, burgomaster or prefect has immediate control of the chief of police. The same system prevails in most of the less important cities in the United States; and in a number of the large cities, such as Chicago, Philadelphia, Cleveland, Minneapolis, Syracuse, Rochester, Albany and Troy, a single director or superintendent exercises the civil control over the permanent force. The board system of control is employed throughout Great Britain, where the watch committee of the municipal council — an unsalaried and slowly changing body — is the supervising authority. Over the metropolitan police for London there is a commissioner and three assistant commissioners, forming a salaried board in which the chairman is much the most important member.

The system of appointed salaried police boards was at one time almost universal in large American cities; and while in

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many places these boards have been replaced by single officials, the board system is still to be found in New York,[1] St. Louis, Boston, Cincinnati, Detroit, New Orleans and other important cities. The Boston police commission has three members; that of New Orleans, six; the other cities named have each four, while the statutes generally require that not more than two shall be members of the same political party. This requirement that the boards shall be bi-partisan has been established ostensibly because the machinery of elections is often under the control of the police authorities, so that precautions are necessary to prevent one party from controlling this machinery. The system, however, seriously affects the administration of the police. Deadlocks in bi-partisan boards are avoidable only by "deals" between the representatives of the two parties, while neither party can be held responsible for mismanagement. With a separate election bureau there is no adequate reason for a bi-partisan police board; indeed, there is little reason for a board of any kind, since a single police director is a more efficient and a more responsible authority.

It is important to note the great variety of forms which the relations of state and municipal authorities present in respect to police administration. In this field, more than in any other which is in any sense considered a municipal function, the higher governmental authorities have asserted and exercised their power to inspect, to supervise and even to assume the entire management.

The most important regions where the entire police system exists as a purely state institution with no local control are certain countries under British authority: Ireland, India, the South African and Australian colonies, Egypt and smaller dependencies under the British Crown. The Royal Irish Constabulary, which is the only police throughout Ireland, is almost a military force; it is well drilled, occupies barracks in the various towns and is under the immediate control of the executive government at Dublin. In India the urban police is under the direction of the central governments in the various

[1] January, 1901.

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provinces, although the larger municipalities make contributions towards the support of the forces on duty within their respective limits. New South Wales, the principal Australian state, is divided into ten police districts, of which the metropolitan area, including Sydney and suburbs, forms one; and in each district the police force is under an inspector-general and superintendent of police, appointed by the state government.

In Russia, Bavaria, Württemberg and Greece the entire police system is almost equally centralized. For each of the large Russian cities there is a master of police, appointed by the government, who determines the numerical strength of the force, the disciplinary rules, salaries and appointments. The expenditure is paid by the municipal authorities; but they have no option in the matter, as the central government makes this an obligatory item in the budget.

While the entire police system in Prussia is not so completely centralized, in most of the important Prussian cities the immediate direction of the local police is in charge of a special commissioner appointed by the king. Twenty-one cities have such commissioners, the list including Berlin, all the cities with over 150,000 inhabitants and six of the eighteen with from 50,000 to 150,000 population. This feature of the Prussian system is found on a less extended scale in almost every other country where the general police system is largely under municipal control. In London, Paris, Lyons, Vienna and other European capitals the local police forces are under the immediate control of the various central governments. So, too, in the city of Mexico, in Rio de Janeiro, Buenos Ayres and Tokyo the police are a part of the national, and not of the municipal, administration. Even in the United States there are a number of important instances where the police force is under the management of a board appointed by the state government. This is now the case in St. Louis, Boston, Baltimore, Cincinnati and San Francisco (five of the ten largest cities); also in Washington, Indianapolis, Denver, Kansas City, Fall River, St. Joseph, Birmingham, Manchester (N. H.) and in all the Indiana cities with over 10,000 population.

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In Europe the system of state police administration is often accompanied by grants from the central government toward the support of the police. Four-fifths of the cost of the Berlin police and one-third of the cost of the London and Paris police are paid in this way. On the other hand, in the American cities where there is a state police board the entire cost of the police is paid by the municipality.

Many countries where there are local police have also a force of state police under the immediate charge of the central government. These state forces are in most cases modelled after the French *gendarmerie*. This is a branch of the regular army, enlisted, organized and controlled by the military department. The *gendarmes* act as a sort of mounted police: in the cities they conduct prisoners from jails to courts and stand by them in criminal docks, are stationed at theatres and other places of public amusement, and line the streets to keep order during pageants; while in the country districts they do the regular work of patrol. Similar organizations under the direct control of the central governments are to be found in Belgium, the Netherlands, Austria, Italy, Portugal, Spain, Mexico and most of the South-American countries. The Canadian mounted police, organized by the Dominion government and employed in the preservation of order in the Northwest Territories, also resemble the European *gendarmerie*.

In the countries of continental Europe just mentioned the local police are to some extent under municipal control, but are also subject to a large degree of supervision by the central governments. This central supervision is probably strongest in France and Prussia. The *maires* of the French communes, who are elected by the local councils, have the power of appointing the police officers. They do so, however, not as representatives of the municipality, but in their capacity as agents of the state; and their appointments must be accepted by the prefect of the department, who has also the right of revoking the suspension and preventing the removal of any officer. Moreover, it is not the council but the *maire* (again subject to the control of the prefect) who makes police regulations.

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Further, in all cities of over 40,000 population, the organization of the local force is regulated by a decree of the President of the Republic, and the function of the municipal council is confined to recommending a scheme. Finally, the *commissaires* of police in all cities of over 6000 population are appointed by the President on the recommendation of the minister of the interior, and thus furnish the means for an effective supervision over the local officers. The expense of the police is borne by the municipalities, but this is one of the obligatory expenditures which the central government can compel the city to make.

In those Prussian cities where there is not a state police, appointments to the police force are made by the municipal authorities, subject to the approval of the higher governmental officials, who also frame the rules of organization. The expenses of the police are paid by the cities, but as a contribution towards the state administration; and even the local police are classed distinctly, not as a part of the municipal service, but as a branch of the state administration.

The system of central control in Italy is no less complete than in France. In Austria and Belgium the local authorities have a slightly larger degree of autonomy. In Belgium the municipal councils enact police ordinances without the necessity of securing the approval of a higher authority, and the central government appoints the *commissaires* of police only in the larger cities.

Outside of the metropolitan district, the British police system allows a larger degree of local control. In the larger cities, including the sixty county boroughs and about as many other municipal boroughs, the immediate responsibility for the management of the police rests with the watch committees of the town councils. In most towns of less than 10,000 inhabitants and in some of larger size, the urban police form part of the county police under the control of the county authorities. There is, however, over both borough and county police a thorough system of supervision by the inspectors of the Home Office. This inspection requires the local authorities to keep

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their police up to a given standard of efficiency, under penalty of losing the parliamentary grant, which amounts in general to about one-half of the total cost of the police.

In the United States the police arrangements for most cities allow the municipal authorities a much larger field of action. Apart from the important cases of state commissions already mentioned, the cities maintain and direct their own police, subject to no active administrative control on the part of the state authorities. Even the police magistrates are generally locally selected, either by popular election or by municipal appointment. For many large cities, however, the organization of the police is determined in great detail by legislative enactments; while the statutes requiring the police board to be bi-partisan still further limit the independence and responsibility of the local authorities in the management of the police.

Nevertheless, the courts in the United States have repeatedly declared that police officers are not private or corporate officers of the municipalities, but public or state officers, and that where the municipality has immediate control, it is acting as agent of the state government. This opinion has been set forth in the decisions upholding statutes providing for state-appointed police boards in New York, Michigan, Massachusetts, Nebraska, Kansas and Maryland.[1] In New York, however, while a state commission was allowed for a police district covering a territory much larger than any city, an act making a single city into a police district with a state commission was declared in violation of the constitutional provision that "municipal officers shall be elected by the electors of the municipality or appointed by the authorities thereof."[2] In Kentucky also it has been held that a statute for the appointment of police officers by the governor was rendered void by a constitutional provision that municipal officers shall be elected.[3]

Even where police officers are appointed by the city, they

[1] People *v.* Mahaney, 13 Mich. 481; Commonwealth *v.* Plaisted, 148 Mass. 374; State *v.* Leavy, 22 Neb. 474; State *v.* Hunter, 38 Kans. 578; People *v.* Mayor, 15 Md. 376; People *v.* Draper, 15 N. Y. 532.

[2] People *v.* Albertson, 55 N. Y. 50.

[3] Shad *v.* Crawford, 3 Metcalfe, Kentucky, 207.

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are held by the courts to be public officers, and not agents or servants of the city in such a sense as to render it responsible for their unlawful or negligent acts in the discharge of their duties.[1] This rule is well stated in the case of Buttrick *v.* the city of Lowell:

> Police officers can in no sense be regarded as agents or servants of the city. Their duties are of a public nature. Their appointment is devolved on cities and towns by the legislature as a convenient mode of exercising a function of government; but this does not render them liable for their unlawful and negligent acts. The detention and arrest of offenders, the preservation of the public peace, the enforcement of the laws, and other similar powers and duties with which police officers and constables are entrusted are derived from the law, and not from the city or town under which they hold their appointment. For the mode in which they exercise their powers and duties, the city or town cannot be held liable.

While thus it must be frankly recognized that even in the United States the city is not an independent political unit in police matters, it does not follow that the European system of state police is in accordance with American institutions or an advisable innovation to introduce. The police, even when controlled by state commissions in American cities, are supported from local taxes. Their work is intimately connected with almost every other municipal department, and the necessary spirit of coöperation is not promoted by making the police independent of the municipal authorities. Moreover, much of their work is in the enforcement of local ordinances. For these reasons, it is important that the primary control of the police force should be vested in the representatives of the municipality.

At the same time, however, it is equally important to recognize that the public nature of the police authority fully warrants the state government in establishing a large measure

[1] Buttrick *v.* Lowell, 1 Allen (Mass.), 172; Caldwell *v.* Boone, 51 Iowa, 687; Odell *v.* Schroeder, 58 Ill. 353; Prather *v.* Lexington, 13 B. Monroe (Ky.), 559; Worley *v.* Columbia, 88 Mo. 106; Lafayette *v.* Timberlake, 88 Ind. 330; Norristown *v.* Fitzpatrick, 94 Pa. St. 121; Hannon *v.* Agnew, 96 N. Y. 439.

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of supervision over the municipal police. The state has a right to require the local police to enforce the state laws, and for this purpose to establish a system of inspection, with power to remove delinquent officials. A state police bureau could also act as a clearing house for the detective work of the police, and provide an official organization which would make more effective the coöperation of police authorities in different cities. A small force of state police (such as already exists on a very diminutive scale in Massachusetts)[1] could be of service in suppressing disorder in rural districts and in enforcing such state laws as the local police fail to enforce. Such a combination of state and local action is already employed in many states in the work of public charity, education and health regulation. The work of the police equally concerns the state and the localities; and here, too, a system of coöperative dual administration will prove more effective than either a state police or independent municipal police.

III. *Duties of the Police.*

Some light may be thrown on these problems of organization by noting in some detail the duties of the police. The English Lighting and Watching statute of 1833 contained the following provision:

> During the time they shall be on duty, the policemen shall: use their utmost endeavors to prevent all robberies, burglaries and other felonies and misdemeanors, and other outrages, disorders and breaches of the peace; and to apprehend and secure all felons, rogues, vagabonds and disorderly persons who shall disturb the public peace, or any party or persons wandering, secreting or misbehaving himself, herself or themselves, or whom they shall have reasonable cause to suspect of any evil designs; and to secure and keep in safe custody any such person, in order that he or she may be conveyed as soon as conveniently may be before a justice of the peace to be examined and dealt with according to law.[2]

[1] R. H. Whitten, Public Administration in Massachusetts, ch. vi.
[2] 3 and 4 Wm. IV, ch. xc, § 41.

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The duties here laid down are still the most important functions of the police; and it is in the discharge of these functions that the policemen have the special power to arrest persons without warrant when taken in some criminal act. But the policemen of to-day perform many other tasks not specifically included in the above: They regulate street traffic, so as to prevent blockades and permit foot passengers to cross the streets in safety; they keep in order and within proper limits the crowds which gather at fires and processions and on other occasions; they perform a sort of ambulance work in cases of street accidents, illness and drunkenness; they pick up and restore lost and runaway children; and they attempt to keep disorderly women from soliciting on the streets. The enumeration in the New York Charter of 1897 will give a general view of the more important duties now undertaken by policemen in most large cities:

It is hereby made the duty of the police department and force, at all times of the day and night, and the members of such force are hereby thereunto empowered to especially preserve the public peace, prevent crime, detect and arrest offenders, suppress riots, mobs and insurrections, disperse unlawful or dangerous assemblages, and assemblages which obstruct the free passage of public streets, sidewalks, parks and places; protect the rights of persons and property, guard the public health, preserve order at elections and all public meetings and assemblages; regulate the movement of teams and vehicles in streets, bridges, squares, parks and public places, and remove all nuisances in the public streets, parks and public places, arrest all street mendicants and beggars; provide proper police attendance at fires; assist, advise and protect emigrants, strangers and travelers in public streets, at steamboat and ship landings and at railroad stations; carefully observe and inspect all places of public amusement, all places of business having excise or other licenses to carry on any business; all houses of ill-fame or prostitution, and houses where common prostitutes resort or reside; all lottery offices, policy shops, and places where lottery tickets or lottery policies are sold and offered for sale; all gambling houses, cock pits, rat pits, and public common dance houses, and to repress and restrain all unlawful or disorderly conduct or practices therein, enforce and prevent the violation of all laws and ordinances in force in said city;

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and for these purposes to arrest all persons guilty of violating any law or ordinance for the suppression or punishment of crimes or offenses.

Police action in the directions thus far indicated is, generally speaking, similar in all the leading countries of the world. In some matters, however, there are important differences, especially between the Continental police and the police in English-speaking countries. Thus, in the countries of Continental Europe, more especially in France, the police exercise a close surveillance over both inhabitants and visitors, keeping accurate and detailed records of the important facts as to the family, life, occupation and movements of large numbers of persons. To make this surveillance as complete as possible, the Paris policemen are located on permanent beats, so that each may become thoroughly acquainted with the inhabitants of his district; at the same time, the 20,000 *concierges* scattered throughout the city act as a system of private detectives, being required to report every suspicious fact to the police; and temporary lodgers must be reported by all hotels and boarding-houses. The information collected from these various sources for the whole of France is brought together and collated at the detective bureau in Paris. The criminal and suspicious classes are now the especial subjects of this surveillance, and the information is of great value in the detective work of the police. In Berlin the police compile the city directory from these records. But the machinery is also available, and in the past has been used, for tracing out and suppressing political movements; and in this respect it is a powerful and dangerous weapon in the hands of the government.

In English-speaking countries there is no such detailed police surveillance. In each city police force there is a detective corps which keeps records of convicted criminals; and the detective bureau of the London metropolitan police acts as a central detective agency for the entire kingdom. In the United States, although the records of one city are usually open to the police officers of other cities, there is no

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official bureau or clearing house, where all the information can be brought together and properly collated.[1]

A further duty of modern police is the control and limitation of vice. In the large cities of continental Europe there is, distinct from the patrol force, a body of "morality police" (*police des mœurs*) charged especially with this work. The regulations generally include a system of licensing houses of ill-fame, the medical examination of the inmates at certain intervals and the provision of special hospital accommodation for the treatment of venereal diseases. A similar system of medical inspection has been in force in Hong Kong, Bombay, Malta, New South Wales and some Japanese ports, and was for a time enforced by the British government at certain army stations in Great Britain. This system of public regulation is defended by foreign writers on the ground that it to some degree lessens the physical evils resulting from sexual immorality. The regulations of some cities have attempted to distinguish between measures for sanitary control and the legal recognition of vice. Thus, the Hamburg rules state that registration simply means that the evil is tolerated and not that it is allowed, approved or authorized. In spite of drastic efforts to enforce the regulations, at times subjecting innocent persons to most degrading treatment, it does not seem to have been possible in any city to prevent clandestine and unregulated vice on a considerable scale.

Under the statutes of most English-speaking countries, the duties of the police in the interest of public morality require them to suppress both houses of ill-fame and gambling, and generally also Sunday traffic. In most rural districts public sentiment serves to enforce such laws, but in the urban districts they are generally violated. Usually the police do not attempt to enforce the law rigidly, but establish extra-legal

[1] There is a bureau of identification at Chicago, maintained by voluntary subscriptions from the principal cities; and an effort is now being made by the Association of the Chiefs of Police of the United States and Canada to have the national government organize and support an official bureau. Such a national bureau, however, could not exercise any compulsory control over the municipal authorities.

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restrictions; and in some western cities in the United States there is a well-defined system of monthly fines, which in practice operates as a licensing system. In particular cases it is freely charged that the police are corrupt and for a due consideration allow an almost unrestrained violation of the law.

The regulation and control of the retail traffic in intoxicating liquor is another police function. In most countries dealers must secure permissive licenses before commencing business, various restrictions are placed on the conduct of the business, and in the United States heavy license fees or taxes are imposed. The relation of the municipalities to the system of control varies widely in the different countries.

Most often the granting of licenses is not a municipal function. In Prussia, Austria, Greece, British India and Egypt licenses are granted by agents of the central governments; in Belgium and Italy, by the provincial authorities; in England and the British colonies, by the justices of the peace. In France no license is required, but each person opening a saloon must make a declaration of his intention at the office of the *maire*. The municipal authorities control licenses, as a rule, in Holland, Portugal, Norway, Sweden, Mexico, Argentina and Japan.

In the United States most of the larger cities do not control the licensing of saloons. While the municipalities issue licenses in the larger number of states, in the most important urban states (New York, Pennsylvania, Ohio) and also in Connecticut, Michigan, Georgia and Florida the licensing authority is a county or state officer. Moreover, in Missouri and Massachusetts the large cities — Boston, St. Louis and Kansas City — have state license officers. In several states, cities may by popular vote prohibit the retail liquor trade within their limits; but Cambridge and Somerville in Massachusetts are the only cities of importance which have permanently adopted this policy.

The revenue from the high license fees or taxes on liquor saloons in the United States always goes in large part to the city treasuries. In New Jersey, Illinois, Wisconsin, Minnesota

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and Colorado the cities retain the full amount of the tax authorized by the state; and also in San Francisco and Washington the local tax goes entirely to the municipal treasury. Elsewhere a part of the revenue goes to the county or state treasury; in New York one-third and in Massachusetts one-fourth of the liquor revenue falls to the state.

Enforcement of the special restrictions on the liquor trade is among the duties of the police. The failure of municipal police to enforce the strict state regulations in large cities has been one of the most important factors in securing the systems of state police which exist in the United States. In Boston police administration under the state board seems to be distinctly better than formerly; but usually direct state administration has produced only temporary improvement; while, when the motive of the change has been partisan advantage, the resulting administration has been worse than with municipal administration.[1] In the face of these facts, it cannot be maintained that a system of state police is a satisfactory permanent remedy for inefficiency or corruption in the municipal police.

This does not mean, however, that the municipal police need be left free to neglect or ignore state laws. There remains the system, already mentioned, of a state administrative supervision over municipal officials. Through this system, endorsed as it is by experience in other lines of public activity, it is possible at the same time to preserve local autonomy, to secure administrative efficiency and to maintain the interests of the state.

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[1] C. M. L. Sites, Centralized Administration of Liquor Laws, especially pp. 55, 155.

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COLONIAL AGENCIES IN ENGLAND DURING THE EIGHTEENTH CENTURY.

I. *Establishment of Permanent Agencies.*

IT is the object of this paper to show, so far as the accessible sources of information permit, what part the colonial agency in England played in the mechanism of that older British Empire in which the student of American history is bound to have such a vital interest. Necessarily, then, our attention must be occupied almost entirely with the eighteenth century. The agencies of the seventeenth century, although they were often concerned with affairs of great moment for the several colonies, were temporary phenomena, rather than permanent institutions. They were not a regular part of the general colonial system, but appeared only when some crisis in the affairs of a colony called for closer communication with the home government. In Massachusetts it was the necessity of protecting the charter that called for the employment of an agent; in Connecticut and Rhode Island it was the need of obtaining regular charters; in Virginia it was the desire to prevent the soil of the colony from being granted to irresponsible court favorites. Thus, from time to time persons prominent in the colonies were despatched to England to make representations at court. But when the special object of the mission had been accomplished, the agent returned to America and the agency was at an end. The seventeenth-century agency was a special embassy and not a permanent representation.

But in the eighteenth century this situation changed, with the development of colonial management. Gradually the agency became permanent. The agent became a regular official of the colony, resident in London and drawing a fixed salary from the colonial treasury. His duty was no longer connected

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with any single matter or group of matters. He was to watch carefully all that passed at court and in Parliament, and to further the interests of his province in every way possible. Other functions he also had which demanded his continual presence. So it came to pass that the positions were no longer filled exclusively by colonists. Often some well-disposed Englishman was selected, perhaps a merchant with large business interests in the plantation, or possibly some one who sympathized with the religion of the colony. But though this permanent agency had come to be a part of the system, something more was at times required. Crises still arose in colonial affairs, and the old temporary agency of the seventeenth-century form still survived. When greater activity than the permanent agent was able or willing to display became necessary, some leading colonist was still occasionally sent to London to act in conjunction with the regular agent in enforcing the special claim. The two general classes of temporary and permanent agents are distinguishable more or less clearly throughout the eighteenth century.

A colony might thus have two agents at the same time. As business increased, two permanent agents were sometimes maintained, and in certain cases there were even three. But though it is fair to speak of permanent agencies, as opposed to manifestly special missions, it must not be assumed that representation was perfectly continuous. For various causes, there were often breaks in the succession of agents, and sometimes a colony was for years without representation. Generally this was due to a conflict between the assembly and the executive of the province over the choice of an agent, but there is evidence also that in some cases the situation was due to mere carelessness.

The establishment of the permanent agencies, beginning at the English Revolution, was a gradual process. In 1689 only four colonies appear to have been represented in London with anything approaching regularity. These were Massachusetts, Connecticut, Rhode Island and Virginia. The agency of the first of these colonies had already reached a basis of

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practical permanency, and the need of continuing it seems to have been generally recognized in the colony. After the representatives of Massachusetts had succeeded in obtaining from King William the new and modified charter, one of those who had borne some share in the work, Sir Henry Ashurst, was named by the general court as permanent agent, and was so continued.[1] In this establishment there were two clearly distinguishable motives. The need of obtaining aid against the French was apparent to all. But in the minds of the popular party there was also the settled purpose of getting back all that was possible of their former liberties. In 1694 the representatives passed a resolution setting forth the need of employing agents, as based on the following reasons:

(1) It is necessary that applications be made unto their majesties, the ministers of state, (and if need be to the Parliament) for the restoration of as many of our ancient privileges as may be obtained. The success of Maj. Winthrop on behalf of Connecticut is encouraging. (2) We think it necessary that all means be used to prevent the designs of any persons to incommode the Province by Charters or anything interfering with our liberties or properties. (3) We think it necessary and needful to lay before their majesties the insupportable burden lying upon the province in maintaining a garrison at Pemaquid, and that their majesties be addressed to take it into their royal care. (4) It may be expedient to represent to their majesties the necessity of reducing Canada and the extreme incapacity and calamity whereto the Province is brought by the miscarriage of our former expeditions and by our present war with the Indians which makes us unable to do anything in this matter.[2]

Such, then, were the beginnings of the permanent agency in Massachusetts. It was maintained without a single intermission to the Revolution.

The establishment of the Connecticut agency was in many respects similar. That colony had employed a representative in London for several years prior to 1689,[3] and it was the universal wish of its people to preserve their valued charter.

[1] Acts and Resolves, VII, 436; Hutchinson, History, II, 82.
[2] Acts and Resolves, VII, 450.
[3] Connecticut Colonial Records, 1678–89, p. 211.

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Therefore Fitz John Winthrop was in 1693 despatched as special agent to do all that was possible to secure a confirmation.[1] Moreover, James Porter was at the same time requested to act as permanent representative.[2] On his refusal Sir Henry Ashurst was selected by this colony also. After a confirmation of her privileges had been obtained, however, the independence of Connecticut was still too insecure to allow the agency to be neglected. A series of attacks upon her charter was begun almost at once and continued for twenty years. Thus constant representation was necessary. In the meanwhile, the general utility of the agency was shown, and it was continued, as in Massachusetts, with remarkable regularity.

The generally stormy career of Rhode Island, and especially the fact that she was involved in the dispute with Connecticut over the Narragansett country, served to bring her agency to a basis of practical permanency prior to the English Revolution.[3] After 1689 a continuance of the system was required, both by the danger to her charter and by her relations with her neighbor. However, she seems to have relied upon various irregular and temporary agents till 1699, when Jahleel Brenton was regularly commissioned as her representative.[4] Rhode Island appears to have been less successful than Massachusetts and Connecticut in securing continuous representation during the earlier years of the eighteenth century; for she was without a regular agent in 1702 and again in 1715.[5]

In the case of Virginia it is hard to discover the facts, owing to lack of accessible sources of information. A special agent was appointed by the governor, council and burgesses as early as 1624 to oppose the forfeiture of the charter of the London Company.[6] Later the arbitrary action of the king in granting the soil of the colony to favorites led to an extensive employment of agents. Apparently provision for permanent representation was made about 1680.[7] But the agency does not seem

[1] Connecticut Colonial Records, 1689–1706, p. 102.
[2] *Ibid.*, p. 17.
[3] Arnold, History of Rhode Island, I, 440.
[4] *Ibid.*, 545; Rhode Island Colonial Records, III, 372.
[5] Arnold, II, 9, 55.
[6] Hening, I, 128.
[7] Dinwiddie Papers, I, 37, note.

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to have accomplished any very important work till later. Still it seems to have been kept up, and the example undoubtedly affected the other southern colonies.

It was inevitable that the example set by these four colonies should be followed by the others. The utility of the permanent agencies was obvious to all, and in intercolonial transactions the advantage enjoyed by those possessing permanent agencies could scarcely be overcome except by resort to the same instrumentality. It was apparently Massachusetts and Connecticut which made the greatest use of their representatives, owing doubtless to special circumstances, and their influence seems to have had most effect.[1]

The relations between New York and New England naturally forced New York to resort early to an agency. In 1693 the first representative was appointed. But conflicts soon arose over the matter between the executive and the lower house, and it was not until after 1715 that the representation of the colony at London assumed a tolerably permanent character.

Maryland was another colony early in the field. As a royal province, we find that her agency was regularly conducted by Nathaniel Blackiston down to 1714.[2] When the proprietors again came into power, however, the agency seems to have been suppressed as inimical to their interests;[3] and the colony never again had a regular representative, except the proprietor, down to the Revolution.

South Carolina established an agency in 1712, when still under proprietary rule.[4] The motive in this case seems to have been hostility to the policy of the Board of Trade, which was beginning to insist strongly on the enforcement of the Navigation Acts, in order to make failure in this respect a ground for the forfeiture of charters. Moreover, the colony

[1] It has been customary to assign the origin of nearly all colonial institutions to New England. As applied to the agency this is wrong; for Virginia developed an early agency entirely apart. But it really does seem as if the New England agencies were most in the minds of contemporaries.

[2] Spottswood Letters, I, 2.

[3] Maryland Archives, Correspondence of Governor Sharpe, I, 401.

[4] McCrady, p. 515.

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was seeking for the removal of rice from the list of enumerated articles and the continuance of the bounty on the production of naval stores. As a matter of fact, however, the agent employed himself chiefly in endeavoring to defeat the schemes of the popular party. After the overthrow of the proprietors the agency was continued by the royal government.

The next agency established was probably that of New Hampshire. As in the case of several of the other colonies, it is here rather difficult to fix upon a precise date marking the beginning of permanent, as distinct from temporary, representation. Both Capt. George Vaughan and Henry Newman served the colony in England, in contesting the claims of the Allens to the soil of the province.[1] But it was apparently the boundary dispute with Massachusetts which led to the final settlement of the latter gentleman, in 1720, as permanent agent in London.[2] From that time on, New Hampshire was never long without a representative.

The first step toward the establishment of a permanent agency for Pennsylvania was taken in 1718. A vote looking to that end was passed;[3] but nothing definite resulted till some time later, when Ferdinand John Paris appears as the first permanent agent.[4] New Jersey was even slower. In 1718 Governor Hunter in his speech to the assembly set forth the advantages of having a representative at court and recommended an appropriation.[5] But the house refused, on the ground of economy.[6] New Jersey therefore remained without an agent until 1723, when Peter La Heupe was named by the house of assembly acting independently.[7] This is the only example, so far as I have been able to find, of an agency originally established in this way. Finally, North Carolina managed to exist without an agent till 1748, when she too followed the example of

[1] New Hampshire Provincial Papers, III, 353, 412.
[2] *Ibid.*, p. 776.
[3] Council Minutes, III, 34.
[4] Gordon, History of Pennsylvania, p. 213.
[5] New Jersey Archives, XIV, 82.
[6] New York Colonial Documents, V, 521; Smith, 411.
[7] Assembly Journal, November 27, 1723.

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her sister colonies and appointed James Abercrombie as her first representative.[1] Thus, by the middle of the century the agency had become a regular institution in all the colonies.

There are certain points in the foregoing recital that should be particularly noticed. The earliest agencies — those of Massachusetts, Connecticut, Rhode Island and Virginia — seem to have been established for the purpose of obtaining certain privileges from the home government. The impulse from which they arose was essentially popular. But in the case of the other colonial governments, the executive was very influential in creating the agency. In no case except Maryland was there any opposition on the part of the governor, while in New York and New Jersey, at any rate, the executive made the first proposals. In New York Governor Fletcher and his successors almost forced an agency upon the colony. These facts are important to remember later, when we shall see that the assemblies ultimately used the agencies as a means of attack upon the governors.

Another thing to be noticed is the attitude of the British government. From almost the first this was favorable to the sending of agents. Soon the Board of Trade began to recommend strongly that the system be adopted. As an example of this, we have their letter to Bellomont as early as February 23, 1698, in which they dwell on the advantages of having constantly at court those from whom they may obtain information.[2] They ask Bellomont to take all steps possible toward employing an agent for New York. This resulted in the commissioning of Thomas Weaver. Many other letters could be cited to the same purport.

Finally the Board came practically to demand an agent for each colony. When New Jersey refused to provide for one, the Lords simply allowed the acts of the colonial legislature to stand without either approval or disallowance until proper representation was made.[3] Thus, though the impulse for the

[1] Swann's Statutes, p. 278; Martin, History of North Carolina, II, 53.
[2] New York Colonial Documents, IV, 297.
[3] *Ibid.*, V, 473.

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agency proceeded originally from America, it was aided, systematized and enforced by the conscious policy of the British government.

II. *Functions of the Agent.*

Let us now see what was the general relation of the agent to the colony, what were his chief duties and functions, and how he performed them. In the first place, the agent's term of office varied greatly. Still, in most of the colonies he was appointed for either one or two years. There are, it is true, two instances in Virginia of appointments for seven years and five years respectively;[1] but these are exceptional. As a matter of fact, however, the agents were usually continued from year to year, and most of them held office for long periods. The extreme example of this is probably Richard Partridge, who represented both Rhode Island and New Jersey for over thirty years.[2]

The agent, as we have already noted, received a fixed salary granted by the general assembly of the province. This explains, of course, the short-term appointments. The amount of the salaries varied greatly. Many of the earlier agents received £100; and this in general seems to have been the salary of those who represented the smaller colonies. As time went on, salaries of £150 and £200 became common. The larger colonies came finally to pay high salaries. Thus, Edward Montague, who was appointed agent of Virginia in 1759, received £500 per annum,[3] and Edmund Burke was granted the same sum in 1772, 1773 and 1774 for his services as agent of New York.[4] Sometimes considerable amounts were given to temporary agents to cover both traveling charges and salary; but £500 is the largest regular grant I have found. We must remember, however, that the agents must often have been under considerable expense, which in most cases was supposed to be defrayed out of the salary. Still, at

[1] Hening, VII, 276; VIII, 113.
[2] Arnold, II, 219; Papers of Lewis Morris, p. 49, note.
[3] Hening, VII, 276. [4] Colonial Laws, V, 338, 496, 683.

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times special allowances were given to pay the expenses of soliciting. In such cases, if there was a residue unexpended, the agent sometimes received it as an additional incentive to effort; sometimes he had to return it to the treasury. He was occasionally authorized to draw on the colony, if he needed more funds; but this power was given only in very important cases. There are instances, also, of special premiums offered to agents for the accomplishment of certain stated objects. A good example of this is found in the act establishing the first South Carolina agency.[1] Here it is stated that Kettleby, the agent, is to receive £150 as salary and £150 more as soon as the bounty on naval stores shall be extended; he is to have £500 additional when the exportation of rice from the colony to Spain, Portugal and all places in Africa and America shall be allowed, or a due proportion of that sum when the privilege shall be granted in respect to any one or more of these regions.

The colonial agent was bound to act on instructions received from the colony. The earlier agents generally received instructions from the governor and council at the time of appointment, and were sometimes directed to look for further instructions to the same source or to the general assembly. More often, however, a committee was named in the agency act whose duty it was to correspond with the agent and from time to time to instruct him. In many cases power was even given to the committee to remove the agent and appoint another. At first the committee of correspondence was usually constituted by council and assembly jointly. But as time went on the tendency was for the assembly to name all the members. The conflict between the legislative and the executive power over the agency we shall trace later. In some form or other, however, the committee of correspondence appears in nearly all the colonies.

Now what, more exactly, were the duties of an agent? In the first place, he was a representative of the colony at court, before the privy council and before Parliament. This

[1] McCrady, South Carolina under Proprietary Government, p. 515.

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was really his most important function. From one point of view, he was the complement of the royal governor. For, just as the governor was the representative of the Crown in the province, to express its wishes and enforce its will, so was the colonial agent the mouthpiece of the provincial legislature in England, to plead its causes and express its purposes. This side of the agent's functions was very important; for he was one of the chief instruments in reconciling, so far as was possible, the two opposing principles of imperial control and popular sovereignty. In his capacity of colonial representative, the agent was the channel for the transmission of the innumerable petitions and addresses to the Crown and the privy council. Even of more account than this was his work in soliciting the royal approval of the various enactments passed by the colonial legislature.[1] The correspondence of the agents is full of references to their efforts in behalf of various colonial acts. The agent's task, however, did not end with the mere presentation of a petition or the statement of reasons concerning a law. His success and reputation as an agent depended upon his ability to win, by hook or crook, a concession of what was demanded. In all the colonies the records show the assemblies urging their agents to use every means to obtain this or that request and lamenting their failures to achieve results. Not infrequently agents are dismissed for lack of success. Thus we see that, though the colonial agent was a representative at court, he was something more than a mere mouthpiece. He must pull wires, exert influence, bring pressure to bear. In fact, he was what we might call a general lobbyist.

Then, too, his duty did not consist merely in acting when instructed. He had to be ready to win every possible advantage from the government, whenever opportunity offered. Likewise, he must checkmate, so far as possible, all projects for laws or ordinances that would unfavorably affect his plantation. As there was in such work considerable room for the exercise of judgment, some times the English agents appear to have

[1] North Carolina Records, V, 747.

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made serious mistakes, arising from misapprehension and lack of information. In matters of great importance special agents, as we have seen, were often sent from America to insure against blunders and to see that energetic measures were adopted. It would appear that the English agent sometimes did not fully sympathize with the views of his colony, and was on this account somewhat slack in pressing them. The attitude of Peter La Heupe, agent of New York, who refused to solicit for his province against the Molasses Act, is a case in point.[1]

In the matter of resisting encroachments on colonial liberties, the work of the agents of the corporate colonies is of especial moment. During the earlier part of the eighteenth century the charters of Connecticut and Rhode Island were in almost continual danger and their protection became the chief function of the agents. This gave to the agencies of these colonies an importance which at that time few of the others possessed. The question of the Connecticut charter seems to have been generally regarded as the test case. As we have seen, the permanent agency of Connecticut originated in the need of obtaining a confirmation of her charter, and was continued in order to ward off attack upon it. In 1701, and again in 1705, Sir Henry Ashurst, the representative, was forced to exert himself to the utmost to prevent a revocation.[2] The most dangerous attack came, however, in 1714; and in resisting this Jeremiah Dummer, Connecticut's agent, presented those arguments for corporate independence which at the time made his name famous.[3] They were published in 1721,[4] and were for a long time the chief reliance of Connecticut's supporters. After the defeat of this attempt, attacks on the charter became somewhat less frequent and less vigorous, though the danger never fully passed away. The work of the Connecticut agents in this regard is one of the few well-known episodes in which the agency is concerned.

Besides his representative functions, the agent was of value

[1] New York Colonial Laws, II, p. 729.
[2] Trumbull, I, 408. [3] *Ibid.*, II, 53.
[4] Winsor, Narrative and Critical History, V, 121.

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to both colony and home government as a means of obtaining information. It was usual, as we have seen, for him to correspond with the committee of the assembly having the agency in charge. In this correspondence he took care to give information not only on the precise business under consideration, but also on the general policy of the English government, on the state of European politics and on such other matters as it might be profitable for the colonists to understand. Sometimes, when there was no regular agency committee, this correspondence was addressed to the speaker of the assembly. Many of the agents wrote also to the colonial governors. On the other hand, it was to the agent that the Board of Trade regularly applied for information as to the condition, needs and views of the colonists. The manifest advantage of having such an intelligence bureau close at hand led the English government to look with a favorable eye on the establishment of the agencies and to do all that was possible to further the system.

A further duty of the colonial agent was to appear for his colony in the English courts, representing it in all actions that might arise. The various laws appointing agents expressly declare, in almost every instance, that full legal power of attorney in all such matters is given to the agent. This legal work was of course important, but it is now somewhat difficult to trace in detail. Perhaps the most important cases to which the agent had to devote attention were those arising from boundary disputes. The New England agents especially were thus occupied. The New Hampshire agency, indeed, originated from the necessity of representation in the case of the boundary dispute between that province and Massachusetts, and the earlier agents of the colony were employed more upon this than upon any other matter. Likewise, the representatives of Rhode Island had their hands full with two serious controversies, one with Connecticut over the Narragansett country and the other with Massachusetts concerning the northeastern boundary. Each of these was eventually brought to a successful conclusion, but only after much difficulty and years of effort. Connecticut, besides being occupied with Rhode Island,

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had also the old dispute with Massachusetts over her northern line. Thus, all four New England colonies were pretty well involved. The other colonies do not seem to have burdened their agents so much with territorial disputes. Perhaps the most troublesome piece of litigation with which any of the agents was hampered arose in Connecticut between the colony and certain Mohegan Indians, who brought suit to recover the lands of their tribe which they claimed had been unlawfully granted away. This case lasted nearly seventy years in all, and the colonial agent finally carried it to a successful issue, only shortly before the Revolution. It was because the legal side of the agency was so important that the colonies often preferred lawyers or those familiar with legal work as agents. In other cases the lawyers employed by the agents seem also to have received specific powers of agency. Thus, in the Mohegan case Thomas Life is spoken of generally as the solicitor of Connecticut, yet we have record that he was made joint agent.[1]

The agent also performed fiscal duties. In this sphere, however, he was naturally under the strictest regulation from the colonial government. He was the regular intermediary for payments by the colony to persons in England; and, on the other hand, it was generally through him that moneys were forwarded from England to the colony. In the latter case, the agent had to transmit the funds to the colonial treasurer, and the treasurer was in turn accountable to the assembly. The fiscal functions of the agency became especially conspicuous during the Seven Years' War, when under the direction of Pitt considerable sums of money were granted to the colonies by the home government to aid them in carrying on the struggle. But in general the fiscal duties of the agent do not seem to have been so prominent as might be imagined. The agent acted in this capacity rather as a mere business representative than as a political force, unless the skillful distribution of moneys in soliciting favor be regarded as a fiscal function. In a few instances agents were instructed

[1] Connecticut Colonial Records, 1757-62, p. 439.

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and ... to borrow money in England on the credit of the col...

The foregoing brief survey covers roughly the agent's sphere of action. An example of the work that was expected appears in the appended instructions given to Jared Ingersoll, who was sent to England as agent of Connecticut shortly after the outbreak of the Seven Years' War.[2] Here the wide discretion left to the agent is perhaps the most noticeable feature. The instructions read:

(1) You are with all convenient speed to embrace the first safe and good opportunity to embark for England and there to transact on behalf of this colony in all affairs and concerns thereof jointly or severally with Richard Partridge of London, Esq. who hath long acted in the same capacity; and to apply to him for all such papers as therein you shall have occasion for, and to exercise your best skill and prudence in all things committed to you to promote our service and interest.

(2) You are to represent the state of this colony in every needful respect, especially what share and burden it hath sustained for the defense and security of his majesty's territories in America; the weight and burden of expenses occasioned by the present war; the cheerfulness and alacrity always shown to comply with all his majesty's requisitions; and especially to promote and forward to the utmost the extensive plan laid by his majesty for securing the territories in North America, for invading Canada, and carrying war into the heart of his enemies' possessions this present year; and to use the best means and methods to obtain such reimbursement for the great expenses incurred thereby as our vigorous exertions in the service may appear to merit and our circumstances thereby occasioned to require.

(3) You are to take prudent care of the affair of the Mohegan Indians to prevent any further proceedings in the case.

(4) You are to take due care of our interest with relation to the four towns challenged by Massachusetts Bay and which lie to the south of the line between the two governments that no injury be done to us therein and that all disputes about it may be prevented.

(5) You are as occasion may require to represent the whole transaction relating to the Spanish ship, St. Joseph and St. Helena and

[1] Acts and Resolves of Massachusetts, III, 813.

[2] Connecticut Colonial Records, 1757–62, 127.

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her cargo, which [we] doubt not when truly known will set us in a favorable light on that head.

(6) You are to advise with and consult council learned in the law in any case wherein there is occasion; and in all things wherein you transact for the colony you are to take such advice and assistance in all measures and steps as you shall judge prudent and likely to promote our interest.

(7) You are to transmit from time to time accounts of all your proceedings and everything done therein relative to our affairs by every convenient opportunity after your arrival at Great Britain and to observe such further instructions as shall hereafter be given you by this assembly.

III. *Personnel and Method of Appointment.*

In the first place, what men were appointed? We have already noticed that in the eighteenth century Englishmen as well as Americans served. In nearly every case the Englishmen so appointed had interests of some sort in the colony. Generally they were merchants trading in America. Especially when for some reason or other the regular agency was unoccupied and representation was urgently needed in some important matter, it was common for the colonial governments to request such merchants to act temporarily in their behalf. Often, however, the connection was based on other grounds than commercial interest. Thus, Sir Henry Ashurst, the first agent of Massachusetts after the Revolution, was known as a leading Puritan; and we find Quaker agents for Pennsylvania and New Jersey. But as the century advanced, religion came to play a less important part, and liberal members of Parliament began to be sought out as the representatives of the colonies. Thus, Samuel Garth was appointed by South Carolina and by Maryland at the time of the Stamp Act excitement, and Edmund Burke served New York in 1773 and 1774.

On the whole, however, American agents were still preferred. The special and temporary agencies were, of course, generally carried on by the political leaders of the colony. Examples of this are the missions of Cooke for Massachusetts, of Brooke

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and Nicoll for New York, of Franklin for Pennsylvania. Americans were occasionally sent over as permanent agents, but this course became gradually less common. All things considered, it may fairly be said that the preference was for an American residing in England — usually, of course, as a merchant. If such a person possessed political influence, he had all the attributes contributing to success. But political influence seems to have been comparatively rare among the American agents. Jeremiah Dummer is one of the few examples of a resident American possessing it, and it was certainly a great factor in his long and successful career. In general the qualities sought by the colonies were influence, ability, acquaintance with colonial conditions and sympathy with colonial ideas and objects. Any one possessing these would make a suitable representative. Perhaps the[illegible] the first point.

But there is another element also to be noted here. This is the fact that two or even more colonies often chose the same representative. This joint representation is a peculiar feature of the system and merits some attention. When the permanent agencies were first established in Great Britain, the same man was generally chosen by two or more plantations. Thus, Sir Henry Ashurst, Jeremiah Dummer and Francis Wilkes, the earlier agents of Massachusetts, were all selected for Connecticut as well. Peter La Heupe, who was also clerk of the privy council, was appointed by New York when already agent of Virginia. Nathaniel Blackiston represented both Maryland and Virginia during the earlier years of the century. Richard Partridge, the agent of New Jersey, appeared for Rhode Island also. But as time went on this caused trouble. The interests of the colonies were often in conflict. Therefore, though the double agencies continued, there was a growing tendency among the larger colonies to insist upon the exclusive service of their respective agents. La Heupe was given up by New York because he had been appointed agent of Barbadoes and could not solicit against the Molasses Act.[1]

[1] New York Colonial Laws, II, 729.

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Connecticut, in choosing Francis Wilkes, cautioned him most emphatically against engaging the colony in any of the troubles of Massachusetts,[1] and when the agency again became vacant was careful not to select the Massachusetts representative. Later the governor and council of Georgia prevented the selection of Garth as agent, upon the ground that he already represented South Carolina.[2] Thus, by about the middle of the century most of the larger plantations had abandoned the practice of combining agencies.

The smaller colonies continued, however, on the old line. We find that New Jersey and Rhode Island were represented during the greater part of the century by the same persons — first Richard Partridge and then Joseph Sherwood. These were both Quakers, and this fact is advanced by the Rhode Island historians as convincing proof of the liberality of their system. Partridge was also for a considerable period employed by Connecticut and for a few years by Pennsylvania.

This combination of agencies by the small colonies was doubtless due in part to motives of economy. But as the Revolution approaches, we find a general recurrence to the practice by the larger colonies as well. This seems to have been due to something like a growing national feeling. It appears to have been recognized that those who had distinguished themselves in the cause of one colony were conferring a like benefit on all. At the time of the Stamp Act, Samuel Garth, who had made himself prominent in Parliament in the colonial cause, was agent for both South Carolina and Maryland, and the attempt to make him agent in Georgia was only defeated by the governor. His work is highly praised by the popular party. The drawing together of the colonies is best seen, however, in the well-known case of Dr. Franklin. Originally sent over to represent Pennsylvania, he was ultimately chosen as agent for Georgia, Carolina, New Jersey and the Massachusetts House of Assembly. His work may well be described as that of an American envoy, and thus may perhaps be considered

[1] Connecticut Colonial Records, 1726–35, p. 254.
[2] Stevens, History of Georgia, II, 58.

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as a transitional form between the colonial agency and the national missions of John Adams and his successors.

So much, then, for the *personnel* of the agencies. We now come to what is the most important consideration in the whole discussion of the agency, namely, the method of appointment. From this point of view, there were many classes of agents. The term "agent" is, as a rule, used by contemporary authorities in a loose way to cover any sort of colonial representative whatsoever. Thus, Dr. Franklin, who represented five or six colonies, Francis Wilkes, who was sent to England by the Massachusetts House of Assembly, and even Mr. Catherwood, the personal representative of Governor Clinton of New York, are all referred to in places simply as colonial agents. This causes great difficulty and confusion, and for our present purpose the various kinds or classes of agents must be carefully distinguished.

Strictly speaking, the only real colonial agents were those who acted on the authority of the general assembly of some province—that is, those in whose appointment governor, council and house of representatives concurred. Most of the agents of the earlier part of the century were of this class. Second, we have a class which represented assemblies alone. Examples of this class are seen in Massachusetts, New Hampshire, New York, New Jersey, Pennsylvania, Maryland, Virginia and North Carolina. Such agents were appointed sometimes with the consent of the governor and council, but more often without consulting these officials, and not infrequently against their bitter opposition. A third class of agents consisted of those who represented the governor and council. These were less numerous than the other two classes, but appeared in Massachusetts, New York, New Jersey, Virginia and probably in other colonies as well. In the case of Virginia such an agency became an established institution. These three classes include the more important agencies, but others may be noted. In New Jersey and in Pennsylvania the proprietors maintained in England regular representatives who played important parts. Furthermore, many of the governors[1] had personal agents or

[1] Clinton and Belcher are familiar examples.

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attorneys at court, and there were many irregular missions to England undertaken by private parties or representatives of discontented factions. But neither of these latter classes falls properly under the head of colonial agents.

The process through which the various species of agencies proper were differentiated almost epitomizes the political history of the colonies. In nearly all the colonies the agency when first established was filled by a concurrent vote of governor, council and house. This was true in Massachusetts, New Hampshire, Connecticut, Rhode Island, Pennsylvania, Maryland, Virginia, North Carolina and South Carolina. The most noticeable exceptions are New York and New Jersey. In the establishment of the agencies the executive took a considerable, in some instances a leading, part. In most cases the original purpose of instituting an agency was merely to aid in the government of the province by means of closer communication with England, and in this all branches of the legislature were equally concerned. But as the antagonism between the executives and the assemblies became the leading feature of colonial politics, the control of the agency offered the popular branch a particularly good means of attacking the governor and of presenting to the home government its own objects and methods in a favorable light. The opportunity was most inviting; for the governors were accustomed to attribute to the assemblies the responsibility for nearly all that went wrong in the colonies. Moreover, it must be remembered that the agent was paid by a grant from the general assembly and that by refusing this the house could effectually put an end to the agency.

So it is not surprising that in one colony after another we see the assemblies endeavoring to get the control of the agent into their own hands. In some cases the houses seem to have contented themselves with the appointment of men who would act in their interest. More frequently they sought, and often with success, to obtain full control of the committee of instruction and correspondence subject to which the agent acted. In some colonies, however, the struggle went much

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farther. Notably in New York and in Virginia the popular house demanded either exclusive power in the appointment and control of the regular colonial agent, or the establishment of a separate and independent agency in which the governor and council had no share. In New York the house gained exclusive power over the regular agency. But in Virginia the result of the conflict was a dual representation — one agent for the lower house and another for the council. For Massachusetts also there was at one time a dual system, consisting of an agency for the lower house and another nominally acting for the entire legislature. In general, then, we may conclude that the distinction between the two chief classes of agents had its origin in the struggle for control.

But the struggle has, of course, a far greater significance than merely this. The conflict between the executive and the assembly over the agency varied greatly in intensity in the different colonies, and also waxed and waned at different periods. Sometimes, as during the French War, it largely disappeared. But in a general way its outlines are plain, and they reveal a distinct passing of power from the executive to the assembly. The later agencies — except, of course, the few that were representatives of councils — were all essentially popular. No matter whether the house of assembly gained the technical right of appointment or not, all the agents became at last representative of the people of the provinces, and not merely tools of the royal governors. This was naturally opposed by the British government, which tried so far as possible to maintain the control of the executive over the agency. It did not, however, push its opposition very far, and was eventually somewhat easily overridden. On this side, then, the history of the agency is merely a part of the general development of the century and as such deserves careful attention. It is one of the numerous phenomena leading up gradually to the Revolution.

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IV. *Control of the Agency.*

The principles at work in the matter of control over the agencies will be best exhibited by a sketch of the changes in particular colonies, typifying, respectively, the royal province, the proprietary province and the corporate colony.

New York may be taken as the typical royal colony. But it must be remembered that the development in New York went farther than in any of the other colonies, including even Massachusetts. It must, then, be regarded rather as the extreme to which the others approximated.

The beginnings of the agency of New York have already been considered. Governor Fletcher and council despatched Mr. Lodwick in 1693 to represent to the Crown the needs of the colony. In this the assembly was in no sense concerned. In 1695, however, Fletcher obtained from the house a grant of £1000 for an agency; but the agent, Nicoll, was named in the act of appropriation. Thus the mission of Nicoll and Brooke, which resulted, was representative really of the whole colonial government. It was temporary, however, and on their return New York had no agent. But when Lord Bellomont assumed the government, he was urgently advised by the Lords of Trade to see that New York was provided with a permanent representative. He therefore commissioned Thomas Weaver as the first permanent agent of the province. Here again the house was entirely ignored. After Weaver's return, John Champante was commissioned in the same way, and this representation continued till 1711.

Meanwhile the conflict between the executive and the assembly developed, and the assembly was aroused to obtain, if possible, an independent agent. In the fall of 1711 a bill for such an agency was passed by the house but lost in the council.[1] In 1712[2] and 1713[3] the same thing was repeated. But Governor Hunter by good management gradually succeeded in coming to terms with the house. Moreover, the colony was really

[1] New York Colonial Documents, V, 300; Assembly Journal, p. 303; Council Journal, p. 326. [2] Council Journal, p. 336. [3] *Ibid.*, p. 360.

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suffering from lack of an agent. So finally, in May, 1715, a bill originated in the council,[1] again appointing John Champante as colonial agent and directing the treasurer to pay him £500 a year. This was passed, and thus was settled the first permanent agent in whose appointment the entire legislature had a share. It is to be noted, however, that the assembly had failed in its first attempt to obtain an entirely independent agent.

The agency continued on this basis till 1731, when the agent, La Heupe, refused to solicit against the Molasses Act and resigned. The assembly requested Samuel Baker and other merchants to make representations against the act and sent them £250. But the vacancy in the agency was not filled, and New York was left for some time without any permanent agent.

In 1736 a petition was presented to the Lords by certain of the popular party, praying that Lewis Morris, who was then on his mission to England, might be allowed to make representations for the province.[2] But this was rejected as irregular and unprecedented. It was, however, the forerunner of another attempt to establish an independent agency. In 1737 a bill for this purpose was again sent up to the council, but met the usual fate.[3] The difficulties between Clinton and the assembly served to prolong the inaction. Finally the report that a bill was preparing in Parliament to prevent the colonies from issuing paper money and to give to the instructions of governors the force of law aroused the popular party. Before the session of the assembly a meeting of citizens was held, and £270 was raised by subscription. It was agreed to urge Samuel Baker to solicit against the bill, and a committee was named to draw instructions. When the assembly came together, a resolution of thanks was promptly passed and the money refunded. The temporary agency was then legalized by enactment.[4]

But the deadlock over the permanent agency continued.

[1] Council Journal, p. 384.
[2] New York Council Documents, VI, 51.
[3] Council Journal, p. 684; Assembly Journal, p. 714.
[4] Colonial Laws, III, 445.

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Gradually, however, the opposition of the executive was overcome, and the assembly began to gain the upper hand. Finally, in 1748, the whole agency matter was settled by the passage of a bill naming Robert Charles, a lawyer and secretary of Sir Peter Warren, as colonial agent, and assigning practically the entire control of the agency to the assembly. The agent's salary was secured by combining it with the grant of the governor's salary.[1] From this time till the Revolution the agency continued to be the instrument of the house alone. In 1768 the British government, through Governor Moore, urged that the system be changed in the interest of uniformity;[2] but nothing was done.

There are two points in which the history of the New York agency is exceptional. In the first place, as we have noted, in all the other royal provinces except New Jersey the agency was first established, not by the executive alone, but by the entire general assembly, consisting of governor, council and lower house. Thus the house was not so entirely ignored as it was in New York. In the second place, in New York alone did the assembly win a complete victory. Nowhere else did it ever gain permanent control of the entire representation, although in North Carolina and New Jersey its triumph was nearly as complete.

It is rather remarkable that in Massachusetts the struggle did not go quite so far until just before the Revolution. Here the peculiar modification of the provincial system, of course, weakened the executive and would have made the victory of the assembly a certainty. As it was, however, although the house never nominally controlled the appointment of the colonial agent, it never had any serious difficulty in securing such representation as it desired either by special agent or otherwise. Originally Massachusetts, like all the other colonies, had a single agent. As early as 1723, however, the house, finding need of separate representation, employed one Anthony Sanderson as its independent agent.[3] But soon afterward it

[1] Colonial Laws, III, 721; New York Colonial Documents, VI, 420.
[2] Council Journal, pp. 1685, 1686. [3] Hutchinson, II, 264.

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succeeded in forcing the council to consent to the choice of Elisha Cooke as agent and was then content to lay Sanderson aside.[1] Again, in 1728, the assembly succeeded in raising funds by subscription for another independent mission to England, and this time commissioned Wilkes and Belcher as its representatives.[2] They continued in London upon this footing until Belcher was appointed governor of the province. Then Wilkes seems to have become the regular colonial agent.[3] Except for a short period when Christopher Kilby acted as representative of the house alone,[4] the colony continued to have a united agency until after the Seven Years' War. During this period William Bollan served the province most ably. As the Revolutionary agitation came on, however, another separate agency was established in London by the house and soon practically crowded out all other representation. In the hands of Dr. Franklin this agency was a great factor in hastening the inevitable conflict, and was commonly regarded as representing the people of the province.

In Virginia there was originally a single agent for the whole colony, but after a long struggle the burgesses obtained an independent representative. From this time on there were regularly two agents of Virginia, one for the governor and council, another for the house, the salaries of both being provided for by the general assembly as a whole.[5] In New Hampshire, South Carolina and Georgia there appears little that is peculiar. The houses of these colonies, however, succeeded rather in dominating the agency as it stood than in obtaining separate representation. The struggle over the agency in North Carolina was perhaps more bitter than that in any other colony. It, however, took place so late that no very settled conclusion appears to have been reached. As a result of the conflict, North Carolina was frequently without an agent altogether and made much use of irregular and independent house representatives.[6] In New Jersey the development was

[1] Hutchinson, II, 273.
[2] *Ibid.*, p. 318.
[3] Belcher Papers, II, 126.
[4] Hutchinson, II, 351.
[5] Dinwiddie Papers, I, 37, note.
[6] Martin, II, 223, 251.

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interesting, but it need not occupy us here, as it was peculiar and due to local conditions. The agency was first established by the house; then the council employed a separate agent; and finally there was a single agent for governor, council and house. Thus the usual order was reversed; but really the house never lost practical control.

As might be expected, the development in the proprietary provinces was very similar to that in the royal provinces. In both arose the usual struggle between the executive and the lower house of the legislature. But there is one peculiarity which must be noted in the history of proprietary agencies: in every case they expressed an attempt by the people, as represented in the assembly, to appeal to the Crown against the proprietors. Maryland furnishes a perfect example of this. There the proprietor, seeing his danger, refused to allow the people any agent unless they would nominate the proprietor himself.[1] The people complained of his course but were helpless. Finally, after a long dispute, funds were raised by subscription, and Samuel Garth was made agent by the discontented faction.[2] But though these are the outlines, unfortunately the published materials hardly allow us to say more. The significant facts, however, are, I think, that the agency was a form of appeal and that it was of an irregular character.

In Pennsylvania we see the same thing, but in a different form. Here it was the executive which in 1718 took the first step toward settling an agent. It does not seem to have resulted in a permanent establishment. In 1731, however, the colony was represented by Ferdinand John Paris,[3] who was closely connected with the Penns. He was agent for a number of years. Now gradually arose the dispute between the people and the proprietors centering about the question of the taxation of proprietary lands. In 1757 the opposition was led by Franklin, and in that year he was despatched to England as

[1] Maryland Archives, Correspondence of Governor Sharpe, I, 401.
[2] Scharf, History of Maryland, I, 552.
[3] Council Minutes, III, 427.

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agent to appeal to the Crown. At first the British government refused to receive him; but by a peculiar combination of ability and good fortune he was able to obtain a hearing and won a complete victory. He returned to Pennsylvania in 1760. Five years later he was once more sent as assembly agent, especially with a view to the repeal of the Stamp Tax, but also with the object of overthrowing proprietary rule. He became involved, however, in the Revolutionary movement and perhaps did as much as any one man to bring it to an issue. In Pennsylvania, as well as in Maryland, the irregular character of the agency is noteworthy. It was essentially revolutionary in its nature.

As to the corporate colonies, there could obviously be no conflict over the control of the agent, inasmuch as governor, council and house all drew their authority from the same source. The remarkable unanimity presented in Connecticut and Rhode Island is in striking contrast to the bitter contests elsewhere; for in these two colonies the agent was from the first a true colonial representative and so continued. This is the more significant when we remember that, as the agency was one of the few points at which the corporate colonies came in contact with the home government, its importance was thereby increased. In the main the statement will apparently hold good that the agencies played a greater part in the history of Connecticut and Rhode Island than in that of the provincial or proprietary colonies.

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A STUDY OF PRESIDENTIAL VOTES.

THE occurrence of a presidential election in the same year with a national census offers an opportunity for gauging, with reasonable accuracy, the interest taken in the exercise of the suffrage. There have been encouraging indications in recent years that this interest was increasing and that a better understanding of the duties of citizenship in a free government was being gained. If further proof of this was given by the election of 1900, the fact should be made clear, in order that a record of the advance may be made for future guidance. And if no such encouraging signs are evident, it is still more important that the situation be studied, so that the causes of any lack of interest in the suffrage may be made known and a remedy, if possible, prescribed.

A brief glance at past presidential elections is necessary to an understanding of the recent election and of the lessons to be drawn from it. The table on the next page,[1] which contains the vote cast at each presidential election since and including 1824, the increase over the previous election and the percentage of increase, will help to such an understanding.

A glance at this table reveals the fact that the law of undulations governs in politics, as well as elsewhere. The tide of votes has ebbed and flowed like the waters of the ocean. There have been years when popular enthusiasm has rolled a wave of votes far up on the political beach; but this high tide has been invariably followed by an ebb, when a wide margin has been left on the political sands to measure the subsidence in public interest. The fact that the poll of votes has increased, even when the tide has ebbed, does not invalidate this statement;

[1] No two compilations of the votes cast at the presidential election of 1900 agree. This is due to the fact that in collecting the returns more or less care is taken to include the vote cast for minor candidates. In this article the table which appears to be the most complete and accurate is used.

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TABLE I.

YEAR.	VOTE.	INCREASE.	INCREASE PER CENT.
1824	351,562		
1828	1,156,328	804,766	
1832	1,250,799	94,471	8.0
1836	1,498,205	247,406	19.0
1840	2,410,778	912,573	60.9
1844	2,698,611	287,833	11.9
1848	2,871,908	173,297	6.4
1852	3,139,869	267,961	9.3
1856	4,053,971	914,102	29.1
1860	4,676,853	622,882	15.3
1864	4,024,892	— 651,961	13.9
1868	5,724,686	1,699,784	42.2
1872	6,466,155	741,469	11.0
1876	8,412,733	1,946,578	30.1
1880	9,209,406	796,673	9.4
1884	10,045,085	835,679	9.0
1888	11,380,860	1,334,975	13.2
1892	12,059,351	678,491	11.7
1896	13,923,102	1,863,751	15.4
1900	14,075,445	151,675	1.0

for the increase has invariably been less than the growth of population has authorized. It is instructive to note the undulations of this wave and to discover, if possible, the causes which govern its action.

No record of the vote cast in the first nine presidential elections is accessible. There was, in fact, no such vote. The choice of presidential electors was made, for the most part, by the state legislatures, and the members of these bodies were often chosen from one to three years before the time came to elect a president. Even in 1824 the electors were chosen by the legislatures in six of the twenty-four states, including the most populous, New York. Comparisons based on the recorded popular vote at this election are, therefore, of little significance. But by 1828 only two small states, Delaware and South Carolina, still retained the old method of choice, and from 1832 to the Civil War the choice was by popular vote in all but South

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Carolina. With the election of 1828, therefore, the figures and comparisons become substantially accurate for our purpose. In 1824 there was an ebb tide in the popular vote. Many irksome restrictions rested upon the exercise of the suffrage then, and the voters were scattered over a comparatively wide area, with the facilities for reaching the polls few and primitive. But these causes alone do not account for the smallness of the vote. The real reason was a lack of popular interest in the suffrage. The people had not yet awakened to an adequate apprehension of their rights and privileges at the ballot box, and consequently the great body of voters remained indifferent.

But a new impulse was coming. It was occasioned by a breaking away from class rule and a lessening respect among the masses for wealth and family influence in politics. A weakening of these forces, with general suffrage prevailing, was inevitable in time. That the new order of things came in so impetuous and turbulent a manner as it did was due to the presence of a strong and impulsive leader. The result of the election of 1824 supplied the conditions. The failure of either candidate to secure a majority in the electoral college, and the choice by the House of Representatives of the candidate having the smaller number of votes, caused profound popular discontent. This feeling was shrewdly manipulated in the interest of General Jackson and the Democratic party. A bitter and acrimonious discussion was begun and kept up for four years. The prejudices and passions of the voters were worked on until an intense and widespread interest in politics was aroused. The consequence was seen in the presidential election of 1828, when the popular enthusiasm rolled a great wave of votes into the ballot boxes. The poll reached 1,156,328, not more than half as large as the same population would cast to-day, but an enormous increase over the poll in 1824. For the states in which comparison is possible the excess was over 130 per cent. This can be appropriately called the "Jacksonian wave."

It exhausted its force, however, in electing Jackson; and when it receded, it left an ebb tide which lasted for twelve years. The people had asserted their power and satisfied their

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desire to rectify the fancied wrong done them in the presidential election of 1824. A further stimulus was lacking, and added to this was the timorousness which always follows an incursion into an untried field. The people hesitated and awaited results. But no popular enthusiasm was needed to reëlect President Jackson. The impulse he had given the party was enough to carry it successfully through the presidential elections of 1832 and 1836. In the former year the vote increased only 94,471, or less than half what the growth in population authorized, and in the latter year the increase was 247,406. The total vote had now reached 1,498,205, in a population of about 14,500,000 in the states, excluding slaves, or one vote to a little less than each ten of population. As this is only about half the present ratio, it is evident, notwithstanding the comparatively high tide of 1828, that popular interest in the suffrage had not yet been fully aroused.

But events were preparing another upheaval. The money panics which began early in the administration of President Van Buren, causing profound business depression and widespread bankruptcy, arrested the attention of the country to an unusual degree. The Whig campaign began the day Mr. Van Buren was inaugurated, in 1837, and continued until the last vote was polled in November, 1840. Every means was employed that could appeal to the emotions and awaken the enthusiasm of the people. For lack of a better name, this may be called the "log cabin" wave, and its immediate result was an increase of 912,573 in the number of votes cast, raising the total poll to 2,410,778. This second high political tide receded as quickly as it came. The early death of President Harrison and the policy of President Tyler demoralized the Whig party and the popular enthusiasm vanished. No other great wave breaking on the political beach has left so few enduring traces of its presence as this "log cabin" wave. There was no great leader to make its effects permanent. Three presidential elections passed while the tide was at an ebb. Some questions of great national importance, such as the annexation of Texas and the Mexican War, were presented for decision; but, while much

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interest was manifested in the campaigns, the vote showed no marked increase. The great reservoir of enthusiasm upon which the country drew in such years as 1828 and 1840 had to be refilled before another impulse could be given to the popular vote. As a consequence of this lack of enthusiasm, the total increase in the poll of votes in the three presidential elections of 1844, 1848 and 1852 was only 729,091, or about four-fifths of the increase in the single election of 1840. And in the meantime the population of the country had grown about 7,000,000, making possible an increase of at least 1,400,000 in the vote.

But this popular indifference was not to last. Notwithstanding the apparent apathy, public opinion was slowly preparing to decide one of the most momentous questions that has agitated American politics. This was the slavery question; and when the necessary force had accumulated, it needed only an impulse to start an undulation which was to roll the wave of votes higher than any preceding wave. The impulse and the opportunity came in 1856, when 4,053,971 votes were polled for president, an increase of 914,102 over the previous presidential poll. This can be appropriately called the "anti-slavery" wave, and it marked the entrance into politics of the great middle class — a class which still remains the dominating force in directing the policy of the government. This wave did not recede so rapidly as previous undulations, but maintained much of its volume and added 622,822 more votes to the total poll in 1860, a larger increase than had been made in any previous presidential election held in years of an ebb tide.

The sixteen years following 1860 form a hiatus in American politics. The war for the Union and the conditions growing out of it changed the situation so radically that exact comparisons are impossible. It is necessary to wait until disturbing factors are eliminated and normal conditions have returned. At the presidential election of 1864 eleven states did not vote and the poll fell 651,961 below the total of 1860. The great increase of 1,699,784 in the poll of 1868 cannot be counted as

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a tidal wave. The increase was, in fact, less than the circumstances justified. It was only 1,047,833 more votes than were cast in 1860, an average increase for the two current presidential elections of a little more than half a million votes each. It must be remembered, also, that nearly 1,000,000 colored men in the South had meanwhile been given the suffrage and that all the states, with three exceptions only, participated in a presidential election for the first time in eight years. The conditions prevailing in the election of 1872 were still abnormal. Thousands of white voters in the South either were disfranchised or voluntarily held aloof. The increase of 741,469 was due almost wholly to the fact that Mississippi, Texas and Virginia took part in the election of a president for the first time in twelve years.

The next upheaval came in 1876, when the largest actual increase in the vote made at any presidential election appeared. It is more difficult to give a name to this wave than to any wave which has left its record on American politics. There was no one dominating cause. Several influences worked together to bring it about. One was the natural reaction against a party long in power; another was the belief that sectional prejudices and passions had been shrewdly manipulated to cover up corruptions and incompetence in office; and a third was the profound dissatisfaction with business conditions — a dissatisfaction bred by the collapse of schemes which the inflation of the currency had forced beyond their natural growth. There was also a Democratic party, well led and well organized, for the first time in twenty years, to take advantage of these favorable conditions. But no great popular excitement was manifested in the campaign and no great tidal wave of votes was expected. It came, however, and left 8,412,733 ballots in the boxes, an increase of 1,946,578 over the poll of 1872. This increase is the more remarkable, as this was the first presidential election in which systematic efforts were made to suppress the colored vote in the South, which must have materially reduced the vote in that section. The great impulse of 1876 exhausted itself in one effort and the natural

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reaction followed. The campaigns of 1880 and 1884 were apparently more exciting than that of 1876, but the increase in the vote of both of them together did not equal the increase in the vote of 1876 alone. The total poll in 1884 reached 10,045,085, an enormous number of ballots to cast and count in one day.

Another undulation was due in 1888. In the campaign of that year the protectionists made a supreme effort to recover the presidency, knowing that, if the defeat of 1884 was repeated, the current of legislation would set strongly in opposition to their favorite economic policy and that it would take many years to recover the ground thus lost. The Democrats, too, had tasted the sweets of power for the first time in a quarter of a century and exerted themselves to the utmost to retain their hold on the government. Both parties were thoroughly organized and the reserve vote was called out. The consequence was an addition of 1,334,975 to the vote and a total poll of 11,380,860. But the popular interest vanished almost as quickly as the vote was declared. The public assumed a critical attitude, questioning the justness of the verdict it had given. The result of this disposition of the people was seen in 1892, when another presidential election came around. The party in power was changed, but not by a tidal wave. Only 678,491 votes were added to the poll of 1888, the smallest increase made in any presidential election since 1864. It was more by the abstention than by the increase of voters that the result was achieved. But while the ebb of the 1888 wave was rapid, it did not recede far, and it returned more quickly than any previous undulation. The wave of 1896 can be appropriately called the anti-free-silver wave, and the height to which it rose was indicative not only of the desire of the nation for a stable currency but of regret for the verdict of 1892. The increase in the vote was 1,863,839, the second largest increase on record, and the total poll reached 13,923,102.

From this review it appears that since 1824 there have been six great tidal waves in American political history, that these undulations have occurred in 1828, in 1840, in 1856, in 1876,

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in 1888 and in 1896, and that the interval between them has lasted from eight to sixteen years. Three of these waves — those which happened in 1840, in 1876 and in 1896 — have been almost wholly the result of disastrous business conditions. The other three waves were protests — that of 1828 against the electoral wrong of 1824, that of 1856 against the slave power and that of 1888 against a threatened economic change. It is now possible to study the results of the latest presidential election with profit and to determine the comparative interest shown in the exercise of the suffrage. Since the presidential vote began to be compiled, four national elections have occurred in the same year with United States censuses — namely, in 1840, 1860, 1880 and 1900. The figures prove that in the first of these years the percentage of actual voters to population was 16.9, in the second year it was 17 and in the third year 18.6. The increase, then, in the percentage of voters to population in the forty years between 1840 and 1880 was 1.7, or an average increase of .85 per cent for each of the twenty-year periods, 1840–1860 and 1860–1880. Had this average increase in the percentage of voters to population appeared again at the end of the next twenty-year period, in the election of 1900, the percentage of actual voters to population would have been about 19.45. The population of the forty-five states participating in the election was given by the recent census as 74,610,523; and 19.45 per cent of this is 14,511,746, the number who should have voted, had the increased percentage in actual voters appeared. As a matter of fact, however, only 14,075,445 votes were cast, or 436,301 below the expected increase. The percentage of voters to population stood, therefore, at 18.86, or very nearly where it was in 1880. A knowledge of the particular states in which an increase or a falling off in the vote occurred may aid in the search for an explanation.

The following table gives for each state the population, the potential vote, the actual vote and the percentage which the actual vote bears to the population and to the potential vote. The potential vote is obtained by taking the census of 1890

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as a basis, the compilation of the census of 1900 not having advanced far enough to give the number of voters in the country. The potential voters of each state in 1890 may be assumed to be the whole number of native-born males twenty-one years of age and over, plus the whole number of naturalized foreign-born males twenty-one years of age and over. A division of the total population of each state by the sum of the native-born and naturalized voters gives the ratio of potential voters to population in that state in 1890. This ratio, when applied to the returns of the census of 1900, gives approximately the potential vote in each state last year. This potential vote, of course, includes the indifferent voters, the sick, those incapacitated for various reasons, those absent from home and those disfranchised by law or by fraud. But it would be a confusing task to make an estimate of all these. For purposes of comparison the whole number of potential voters must be taken as a basis, as in the table on the following page.

A glance at the table shows a wide variation in the ratio of actual voters to population. The percentage is highest, of course, in states where woman suffrage prevails. Leaving these out, Indiana and Montana have the highest percentage, and South Carolina and Mississippi the lowest. The percentage is also higher in some groups of states and lower in other groups, proving that there must have been some common influence affecting the vote in large communities. The states can be arranged in groups so as to make this common influence intelligible. They naturally fall into four communities, namely: the Eastern, the Middle, the Southern and the Western. The Eastern group includes Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware and Maryland. The Middle group takes in Ohio, Indiana, Illinois, Michigan, Wisconsin, Minnesota, Iowa, Missouri, Kentucky and West Virginia. The last three states in this group are generally classed as Southern States; but, as an energetic campaign was conducted in each of them, and as they are contiguous to the other Middle States, they more naturally fall into that group. The Southern

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TABLE II.

STATE.	POPULATION.	POTENTIAL VOTERS.	ACTUAL VOTE.	PERCENTAGE OF ACTUAL VOTERS.	
				TO POPULATION.	TO POTENTIAL VOTERS.
Alabama . .	1,828,697	389,084	159,583	08.7	41.0
Arkansas . .	1,311,564	296,733	127,839	09.7	43.0
California . .	1,485,053	406,863	303,793	20.5	74.6
Colorado . .	539,700	248,298	221,336	41.0	89.1
Connecticut .	908,355	224,840	180,118	19.0	80.1
Delaware . .	184,735	49,262	41,982	22.7	85.2
Florida . . .	528,542	122,631	39,226	07.4	31.9
Georgia . .	2,216,331	477,657	122,715	05.5	26.6
Idaho . . .	161,772	73,801	57,914	35.8	78.4
Illinois . . .	4,821,550	1,167,433	1,131,897	23.4	96.9
Indiana . .	2,516,462	663,974	664,094	26.3	100.0
Iowa . . .	2,231,853	551,074	530,008	23.7	96.1
Kansas . . .	1,470,495	372,277	353,766	24.1	95.0
Kentucky . .	2,147,174	511,231	468,908	21.8	91.7
Louisiana . .	1,381,625	295,851	69,904	05.0	23.6
Maine . . .	694,466	191,310	118,593	17.0	61.9
Maryland . .	1,190,050	290,965	264,511	22.0	90.9
Massachusetts	2,805,346	652,406	414,266	14.7	63.5
Michigan . .	2,420,982	596,300	544,492	22.4	91.3
Minnesota . .	1,751,394	397,361	316,247	18.0	79.3
Mississippi .	1,551,270	323,858	59,150	03.8	18.2
Missouri . .	3,106,665	734,433	683,534	21.6	93.0
Montana . .	243,329	92,170	63,641	26.1	60.9
Nebraska . .	1,068,539	270,516	241,433	22.6	89.2
Nevada . . .	42,335	14,854	10,236	24.1	68.8
New Hampshire	411,588	111,844	92,352	22.4	82.5
New Jersey .	1,883,669	465,103	401,050	21.2	86.2
New York . .	7,268,012	1,811,602	1,547,912	21.2	85.9
North Carolina	1,893,810	400,382	291,839	15.4	72.8
North Dakota	319,146	65,398	57,769	18.1	80.8
Ohio	4,157,545	1,079,881	1,040,073	25.0	96.3
Oregon . . .	413,536	121,622	84,182	20.3	69.2
Pennsylvania	6,302,115	1,529,916	1,173,210	18.6	76.6
Rhode Island .	428,556	92,145	56,548	13.1	61.3
South Carolina	1,340,316	273,737	50,815	03.7	18.1
South Dakota	401,570	101,406	96,131	23.9	94.7
Tennessee . .	2,020,616	455,093	271,623	13.4	59.6
Texas . . .	3,048,710	687,350	414,138	13.5	60.2
Utah . . .	276,749	109,082	92,350	33.3	84.6
Vermont . .	343,641	94,406	56,152	16.3	59.4
Virginia . .	1,854,184	419,498	264,095	14.2	62.9
Washington .	518,103	176,225	107,524	20.7	61.0
West Virginia	958,800	223,831	220,787	23.0	98.6
Wisconsin . .	2,069,042	460,811	442,894	21.4	96.1
Wyoming . .	92,531	37,894	24,815	26.8	65.4
Total . . .	74,610,523	18,132,408	14,075,345	18.86	77.52

group includes Virginia, North Carolina, South Carolina, Florida, Georgia, Alabama, Mississippi, Louisiana, Texas, Arkansas and Tennessee. And the Western group includes

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Kansas, Nebraska, South Dakota, North Dakota, Montana, Idaho, Wyoming, Colorado, Utah, Nevada, California, Oregon and Washington. The population, the potential vote, the actual vote in the recent election, and the percentage of vote to population and to the potential vote in each of these groups of states appear in the following table:—

TABLE III.

GROUP.	POPULATION.	POTENTIAL VOTE.	ACTUAL VOTE.	PER CENT OF ACTUAL VOTE.	
				TO POPULATION.	TO POTENTIAL VOTE.
Eastern . . .	22,420,533	5,513,799	4,346,694	19.3	78.8
Middle . . .	26,181,467	6,386,329	6,042,934	23.0	94.6
Southern . .	18,975,665	4,141,874	1,970,927	10.3	47.5
Western . .	7,032,858	2,090,406	1,714,890	24.3	82.7

It is evident that the smallest percentage of votes to population is in the Southern group of states. The reason for this is a matter of common knowledge. In those states there is for all practical purposes only one party, the Democratic. That party has demonstrated its purpose and its ability to carry the elections as long as the negroes possess political rights. There is, consequently, little incentive to the maintenance of an opposition party. In the Southern group of states the Republican party is the merest shell. It is supported almost wholly by the colored voters, and is kept together by the hope of securing Federal offices. This fact has reduced the Republican poll to a nominal figure, has removed the necessity of casting the full Democratic vote and has made elections a mere matter of form. This explains why the proportion of votes to population is so small in the Southern group. And, in this respect, the situation in those states is likely to grow steadily worse so long as present conditions continue.

The next lowest percentage of votes to population is in the Eastern group of states. In the six New England states, all of which are included in this group, the result of the last election was assured two months beforehand. The state elections

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in Vermont and Maine, occurring in September, showed unmistakably the drift of public opinion and made a full vote in November improbable. In the five remaining states in this group, only two, New York and Maryland, were contested. In the other three the result was as clearly foreshadowed as it was in the New England states. The lack of popular interest and the low percentage of votes to population can be explained in this way. The largest percentage of actual voters to potential voters is found in the Middle group of states. This is a matter for surprise, as not more than three of them were doubtful. In the others there was only the normal interest in a presidential election, and hence the reserve vote, which only comes out in years of popular excitement, was not expected to show itself. In the last, or Western, group of states the percentage of actual voters to potential voters is larger than in any group except the Middle group. The large ratio of males twenty-one years of age and over in the population of these states will account in part for this fact. The rest is explained by the presence of woman suffrage and by the active interest in that region in the result of the election.

Taking the whole country together, it is found that of the 18,132,408 potential voters, 14,075,345 voted, or 77 per cent, leaving 4,057,063 votes uncast, or a little less than 23 per cent. This is a formidable number, which would prove a profound indifference to the exercise of the suffrage, if there were not ready explanations. But 2,170,947, or more than half of these disabled, indifferent or disfranchised voters, are found in the eleven states grouped as the South. The causes for this abstention from voting in the Southern States are well known, and it is unfair to argue from the situation in that region that a serious indifference to voting exists in the whole country. In the other thirty-four states, which cast 12,104,418 votes, there were only 1,886,116 potential voters who did not go to the polls. This is a comparatively small number, taking all circumstances into consideration, and it shows an encouraging degree of interest in the exercise of the suffrage.

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One more comparison may be allowed. It is contained in the following table, which gives the population, the vote and the ratio which the actual vote bears to the population in the leading cities of the country. The potential vote in the cities is omitted, as there is no way of estimating it even approximately.

TABLE IV.

CITIES.	POPULATION.	VOTE.	RATIO OF POPULATION TO VOTERS.
New York	3,437,202	608,033	5.65
Chicago	1,698,575	372,451	4.56
Philadelphia . . .	1,293,697	234,552	5.50
St. Louis	575,238	124,529	4.61
Boston	560,892	89,979	6.23
Baltimore	508,957	112,737	4.51
Cleveland	381,768	75,950	5.02
Buffalo	352,387	66,527	5.29
Cincinnati	325,902	76,671	4.25
San Francisco . . .	342,782	64,863	5.28
New Orleans . . .	287,104	22,561	12.72
Indianapolis	169,164	45,295	3.73

From this table it is apparent that the ratio of votes cast in the cities is not materially larger than in the rural districts — a fact not easily explained, as in the cities the polls can be more easily reached and more vigorous efforts are made to bring out the voters.

This study of the vote cast in the election of last November, with the review of the ebbs and flows in the vote in previous presidential elections, suggests the inquiry whether a more stable interest in the exercise of the suffrage cannot be obtained and maintained. One means to that end, doubtless, would be a simplification in the method of voting. The present system is too complicated and occupies too much time, while the results are unsatisfactory. A perfect system of voting — one which will be rapid, accurate, easily comprehended and free from fraud — has yet to be invented. But some advance has been made in that direction, and a brief consideration of past and present methods may suggest further improvements.

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If all men were honest and carried their consciences with them to the ballot box, the *viva voce* method would be the ideal way of voting. No more conspicuous exhibition of civic virtue can be given than the open declaration at the polls by a voter of his choice among parties and candidates; and civic virtue should be cultivated in a republic, where the safety of the government rests largely upon the high character and courage of its citizens. *Viva voce* voting was abandoned, however, mainly because it gave such ample opportunities for corruption and intimidation.

The transition from voting *viva voce* and by a showing of hands to the old-fashioned ticket system, then to the Australian ballot, and now to voting by machines, has been slow and tedious. The small-ticket system, in general use twenty-five years ago, had its virtues and its vices. It gave way to the Australian ballot, a system of voting which came to America from abroad sanctioned by high authority. In favor of this method it can be said that it secures a high degree of secrecy and of freedom from bribery; and, from the intelligence demanded in marking and handling the ballot, it acts in a measure as an educational restriction on the suffrage.

But against the Australian ballot it can be claimed that it is cumbersome, costly and the source of a large number of errors. These errors have decreased somewhat, as the voters have become used to the system, but they were frequent enough in the recent election to cause the loss of many votes. A large number of instances could be cited to illustrate this fact. In Boston about 6300 voters voted for only one presidential elector, because they did not understand how to manipulate the ballot. Nearly double that number in the same city failed to vote for state candidates other than governor for a similar reason. In New York City 1088 citizens lost their vote on presidential electors by failing to mark their ballots correctly, while 2006 ballots were blank as to governor. In Buffalo 1012 persons disfranchised themselves on the whole ballot; while 22,862, or more than one-quarter of the voters, disfranchised themselves on particular

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candidates, by attempting to vote split tickets. In Indianapolis about 7500 voters voted for only one candidate on the whole ticket, leaving all the rest blank; and in Connecticut 2134 ballots had to be rejected on account of errors. These are only scattered illustrations, but they show the ease with which mistakes occur with the Australian ballot. If all the votes lost in this way were found and added together, the total would be surprisingly large. When majorities are large, these errors pass unnoticed; but in a close election, such as occurred in 1876, they might cause endless trouble and embarrassment. As an object lesson in the ease with which errors are made, the two following ballots, cast in Boston at a recent election and shown in the *Globe* of that city, are printed: —

For STREET COMMISSIONER. Vote for One.		
JAMES A. BRESNAHAN 28 APPLETON ST.	SOCIALIST LABOR	
JOHN P. DORE 40 HOWLAND ST.	DEMOCRATIC CITIZEN NOM. PAPER. REPUBLICAN	X
WILLIAM R. DYER 149 ELIOT ST.	DEMOCRATIC SOCIAL NOM. PAPER	
JAMES A. GALLIVAN 93 WEST BROADWAY	DEMOCRATIC	

MANY BALLOTS MARKED LIKE THIS WERE THROWN OUT.

For STREET COMMISSIONER. Vote for One.		
JAMES A. BRESNAHAN 28 APPLETON ST.	SOCIALIST LABOR	
JOHN P. DORE 40 HOWLAND ST.	DEMOCRATIC CITIZEN NOM. PAPER. REPUBLICAN	
WILLIAM R. DYER 149 ELIOT ST.	DEMOCRATIC SOCIAL NOM. PAPER	
JAMES A. GALLIVAN 93 WEST BROADWAY	DEMOCRATIC	
		X

SEVERAL HUNDRED BALLOTS MARKED LIKE THIS ONE WERE NOT COUNTED.

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When a method of voting is so imperfect as to confuse and disfranchise voters, it is evidently far from being the ideal system. The matter of expense is also an important element in the Australian system, large payments for printing and clerk hire being indispensable at every election. But the strongest argument against the Australian ballot is that it adds to the difficulty of voting, and so acts as a hindrance to the exercise of the suffrage.

It would be hard to explain why the Australian ballot was introduced into this country and received general recognition in advance of the machine method of voting. Machines were invented and used successfully in Scotland for voting many years before the Australian method was thought of, and they ought naturally to have appealed first to the practical, inventive mind of the American people. But, by a freak of fortune, one of the most cumbersome methods of voting which could be contrived — which compels a voter to struggle with a sheet of paper often a yard square, to pick out the candidates for whom he wishes to vote from lists containing from fifty to three hundred names, and to do all this in a confined booth with a poor light — gained an audience first and was generally adopted, and now the slow process of displacing it by another and a better system must be awaited.

Voting by machinery appears to offer a simple, rapid and accurate method, and one reasonably secure against fraud and bribery. One of the strongest arguments, however, in favor of the voting machine is that it suggests a combination from which may be evolved a system of voting simple and attractive to the voter. Used alone, the machine has one of the most obvious defects of the Australian ballot. It does not permit a private inspection of the ballot before going to the polls. This was one merit of the old ticket system. As those tickets were supplied by the different political parties, and were printed and distributed at least a day before election, they could be taken home, carefully inspected and arranged; and then the conscientious voter could go to the polls feeling

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satisfied that, so far as human foresight permitted, he was exercising his suffrage privilege as he desired. Neither the Australian ballot nor the voting machine, used alone, offers this advantage. But with a machine at the polls and with a facsimile ballot for private inspection and for preparation as a guide, the voter would be supplied with every facility for careful voting, and at the same time no door would be opened to fraud or bribery. The facsimile ballot should be made to represent precisely the face of the machine, with the names of candidates arranged exactly as the machine will have them on election day, and should contain also a few simple instructions for operating the machine. It should be mailed to every registered voter at least one day before election, so that it could be studied at home, be marked as the voter wished to vote and be taken to the polls as a guide in voting. The secrecy of the ballot would not be violated, and no more opportunity would be offered for bribery than now, as there would be no certainty that the facsimile ballot would be voted as marked. This method would lessen the feeling of uncertainty with which even the most intelligent voter approaches the polls and, by adding to the ease and attractiveness of voting, would tend to increase the exercise of the suffrage.

In addition to the clumsy and inadequate ballot laws, there are other obstructions also which should be removed from the path of the voter. One of these is the practice, which still exists in some states, of demanding the payment of a poll tax as a prerequisite to voting. Why the man who is public-spirited enough to go to the polls and vote should be asked to pay for the privilege of performing his duty as a citizen, while the man who shirks his duty is allowed to save both his time and his money, is an anomaly difficult to account for. To tax the shirker, and not the worker, would seem to be the more equitable rule. Only a practical test can determine what the result of a law placing a tax on the non-voter would be. It is reasonable to suppose that it would act as a spur upon patriotism and as a reminder of duty. The sacrifice of the amount of the tax or the inconvenience of making a

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plausible excuse would be more onerous than going to the polls. And every honorable means of influencing men to perform their civic duty should be made use of.

The strongest force, however, towards increasing the exercise of the suffrage is a public sentiment fully informed, sanely healthful and constantly alert. The progress towards such a condition of public sentiment, while not so rapid as could be desired, is marked enough to encourage further effort. It should be remembered that obstacles have been encountered in the past which are not likely to be met in the future politics of this country. It is not probable that so great a dilution of the electorate as has been witnessed in the years gone by will occur again. Immigration may continue large, but the ratio of foreign-born voters to native-born voters is destined steadily to decrease. Then, too, the sudden irruption of a million or more of voters, such as happened when the ex-slaves were enfranchised, will probably not be repeated. In the past these masses of new voters have constituted the chief sources of corruption and of danger to the purity of the ballot. That no more harm resulted than we have actually experienced from these causes is a reason for confidence in the generally healthy condition of the body politic. That the lesson of past mistakes has been learned, is evident from the temper of the public shown in treating the possessions and peoples which came to this country from the war with Spain. No great body of men will in future be endowed with the suffrage before they are prepared for it, whether or not circumstances have made another policy unavoidable in the past. A greater value will be set upon the suffrage privilege; and the more highly it is prized, the more cheerful will become its exercise.

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HOW MAY THE UNITED STATES GOVERN THE PHILIPPINE ISLANDS?

IN discussions of the future government of the Philippine Islands, it seems often to be taken for granted that under our constitution a scheme of governmental organization for the islands must be provided directly by act of Congress, as was done in the case of Porto Rico; and that the plan employed by Great Britain in respect to the crown colonies could not constitutionally be adopted. As hardly needs to be pointed out, all governmental power over a crown colony is vested in the Crown in Council, which enacts all legislation which it deems necessary. Could the Congress of the United States vest in the President and such persons as he should appoint similar powers over the Philippines? In a very interesting and instructive article in the first number of the *Columbia Law Review* Mr. E. B. Whitney discusses this question, taking as his text the bill proposed at the last session of Congress by Senator Spooner of Wisconsin, but which failed to become a law.[1] This bill, which was to take effect when the insurrection should "have been completely suppressed," provided that

> all military, civil and judicial powers necessary to govern the said islands shall, until otherwise provided by Congress, be vested in such person and persons and shall be exercised in such manner as the President of the United States shall direct, for maintaining and protecting the inhabitants of said islands in the free enjoyment of their liberty, property and religion.

In other words, it granted to the President not only all executive but also all legislative and judicial power, so far as might be "necessary to govern" the islands.

[1] Since the above was written, the President has transmitted to the Senate a communication from the Taft Philippine Commission, urging the passage of the Spooner Bill at the present session.

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Would such a grant to the President be constitutional? To this question Mr. Whitney is inclined to give an affirmative answer; but he arrives at his conclusion by a process which, it seems to the present writer, is based on a failure to appreciate the exact nature of the constitutional problem with which he is dealing. It is the aim of this article to show that, while the answer which Mr. Whitney gives to the question is undoubtedly correct, it may be reached by a much simpler and less doubtful line of reasoning.

What Mr. Whitney attempts is to show that the supposedly fundamental principle of our national governmental organization — namely, that Congress may not delegate to the President the powers of legislation vested in it by the constitution — is not practical, has never been applied by the United States Supreme Court in any case in point, has been to a great extent departed from in certain decisions of that court which he discusses, and would perhaps not be invoked by the court to nullify the grant in question. His argument is, in substance, as follows:

> Our government is divided into three branches, executive, legislative and judicial. Its theory is that each branch shall perform its own functions, and not delegate them to the other. . . .
>
> But, while the United States Supreme Court has at various occasions recognized the general principle that legislative power cannot be delegated, it has never yet found it to be applicable to any case that actually came before it for decision; and while the principle as a general principle has been generally recognized in the State Courts, the actual number of statutes which have been by them declared unconstitutional is but small.

Then follows a discussion of the cases in which the United States Supreme Court has permitted Congress to delegate very wide powers of "legislative discretion" to the President and members of his cabinet, from which the following conclusion is drawn:

> It seems to me that the courts, while repeating the old maxim that legislative power may not be delegated, have very nearly overthrown it, and have done so because it was not based on sound reasoning,

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and has always been impracticable in application. The maxim is, in fact, a restriction on legislative power. If Congress believes that the practical limitations on its own time and on its own means of information are such that all legislation upon one subject or upon all subjects in the Philippine Islands could be better provided by the President, through resident commissioners or otherwise, than by itself, why should not Congress have the power to make such an arrangement? . . . If I have correctly construed the Field and Dunlap cases,[1] then every statute is constitutional which evinces on its face a legislative belief that some executive or judicial officer is better fitted than Congress to prescribe the course of action necessary to effectuate some particular result which Congress desires, . . . and perhaps it is not improbable that this principle may be held broad enough even to cover an entire subject such as the internal government of the Philippines.

It will be seen that Mr. Whitney's affirmative answer is qualified by a "perhaps," which would seem to indicate that he himself feels some doubt as to how far the United States Supreme Court would permit this delegation to be carried. But, in the view taken by the present writer, the statement that "our government is divided into three branches, executive, legislative and judicial," with the accompanying corollary of the non-delegation of power from one department to the other, is, in the connection in which it is used, at the least misleading and causes Mr. Whitney to base his argument on wrong premises. In what follows I shall attempt to prove the constitutionality of such a law as that proposed by Senator Spooner, and shall base the proof upon the following propositions: (1) Since the doctrine of the separation of powers and the non-delegation of power from one branch of the government to the other has no application to the government of a territory, Congress may create within a territory any form of local governmental organization that it wishes. It could, therefore, should it see fit, vest all governmental power for local purposes in one person and his appointees. (2) It could designate as that person the President of the United States, provided the latter were willing to accept the duties of the

[1] Field *v.* Clark, 143 U.S. 649; Dunlap *v.* United States, 173 U.S. 65.

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office. In discharging the powers so conferred, the President would be acting, not as President of the United States, but merely as the agent of Congress in carrying on the local government of the territory, and his powers would be neither more nor less than those of any other person whom Congress might appoint to the same office.

I.

The principle of the separation of powers, with its corollary that one department may not delegate its powers to another department, applies, so far as the Constitution of the United States is concerned, only to the three departments — executive, legislative and judicial — created by the constitution itself, when they are acting as departments of the national government, *i.e.*, when they are enacting or enforcing laws which apply generally throughout the country. The doctrine that powers may not be delegated is derived entirely by implication from those articles of the constitution which provide for the three departments of the national government and vest in each the corresponding powers. But in the case of the territories no separation of powers is made in the constitution; nowhere is any framework of governmental organization outlined; all power is vested exclusively in one body, the Congress. Whether we derive the power of Congress to govern the territory belonging to the United States from the constitutional provision which enables Congress to "make all needful rules and regulations respecting the territory or other property belonging to the United States,"[1] or by necessary implication from the fact that such territory, having been lawfully acquired under the war and treaty-making powers, is not within the jurisdiction of any state, and is within the power and jurisdiction of the United States, is for our purposes immaterial; the fact that the power exists is nowhere denied, and the limitations upon it, if any, are in either case the same. Moreover, it is settled by undisputed decisions of the United States Supreme Court, as well as by the uniform practice of the government, that this power of Congress is exclusive,

[1] Constitution, Art. iv, Sect. 3.

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that it may either be exercised directly or be delegated to such local governments as Congress may see fit to set up, and that in the latter case Congress may change or abolish the local government at will. In the case of National Bank *v.* County of Yankton[1] the following language is used:

> Congress may not only abrogate laws of the territorial legislatures, but it may itself legislate directly for the local government. It may make a void act of the territorial legislature valid, and a valid act void. In other words, it has full and complete legislative authority over the people of the Territories and all the departments of the territorial governments. *It may do for the Territories what the people, under the Constitution of the United States, may do for the States.*

In legislating for the territories, therefore, Congress acts in two different and distinct capacities: (1) as the Congress of the United States — as a national legislative body, *e.g.*, in passing a general revenue law, applying to the whole country for the purpose of raising revenue for the expenses of the general government; (2) as a local government. In the former capacity its powers of legislation may not, at least in theory, be delegated either to the executive or judicial branches of the national government; in the latter capacity it possesses, according to the language just quoted, the same powers in general which the people of a state possess with reference to their own local state government. The analogy here drawn is, of course, not perfect, for there are without doubt limitations placed by the constitution on the action of the people of a state (for example, by the Fourteenth Amendment) which would not be binding on Congress when acting as the local government of a territory; while, on the other hand, there *may* be limitations on Congress so acting which do not apply to the states.[2] With these exceptions, which for our present purposes are immaterial, the analogy holds good. When, therefore, certain persons are vested by Congress with powers of local government within a territory,

[1] 101 U. S. 129, 133.

[2] The reference here is, of course, to the limitations contained in the first ten amendments and certain other provisions; but whether these do in fact limit Congress within a territory is not within the scope of the present discussion.

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they are not to be regarded as organs of the national government, in the sense that Congress has delegated to them a portion of its power as a national legislative body. That this is the case appears more clearly when we remember that, although Congress, considered as a department of the national government, possesses no executive or judicial power, and so cannot delegate any to any other person or body, nevertheless in providing local territorial governments it grants to them not merely legislative but also executive and judicial powers. The grant of these powers must, therefore, be regarded simply as a delegation of the whole or a part of the exclusive power of local government within a territory which belongs to Congress, and which it may exercise through such agencies as it sees fit. This principle is laid down with the greatest clearness in the case of American Insurance Co. *v.* Canter,[1] where it was held, in an opinion delivered by Chief Justice Marshall, that

> a territorial court was not a "constitutional court, in which the judicial power conferred by the Constitution on the General Government can be deposited," but a legislative court, "created in virtue of the general right of sovereignty which exists in the government, or in virtue of the clause which enables Congress to make all needful rules and regulations respecting territory belonging to the United States."[2]

If, when Congress confers local judicial power on a territorial court, it is not to be regarded as depositing therein "the judicial power conferred by the constitution on the general government," neither, I submit, is it to be regarded as "delegating" a portion of the executive or legislative power "conferred by the constitution on the general government" when it vests local executive or legislative power in such person or persons as it may designate.

But, it may be asked, when Congress, instead of acting directly itself, creates certain agencies to carry on the local government of a territory, is it not bound to maintain the separation of powers and to create three distinct and coördinate departments — legislative, executive and judicial?

[1] 1 Peters, 511.
[2] Miller on the Constitution, pp. 369, 370.

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It will, of course, be admitted that no such limitation is expressly contained in any constitutional provision; can it be fairly implied? We have seen that, in organizing these local governments in the territories, Congress is to be considered as possessing in general the same powers which the people of a state have in organizing their state government. Is there anything in the Constitution of the United States which would prevent the people of a state from disregarding the principle of the separation of powers by adopting, for example, a parliamentary form of government, or by providing that the judiciary of the state should hold office during the pleasure of the state legislature, or by vesting all power, legislative, executive and judicial, in one body? The only provision which could by any possibility be applicable in this connection is that which provides that "the United States shall guarantee to every state in this union a republican form of government."[1] But this means, probably, nothing more than "the right of the people to choose their own officers for governmental administration, and pass their own laws in virtue of the legislative power reposed in representative bodies";[2] and, whatever its meaning, it cannot be invoked to limit Congress in organizing the government of a territory, since it in terms applies only to the states. Even if this were not the case, it is difficult to see how the limitation could be made effective; for in Luther *v.* Borden[3] the Supreme Court decided that the term "United States" means in this connection the Congress, and that the interpretation of the meaning of the phrase "republican form of government" must lie with that body.[4] If, then, the people of a state may adopt that form of government which seems to them most advisable (subject always to the limitation above stated), and if we are to regard Congress, when it provides a form of government for a territory, as possessing the same powers which the people of a state possess in this respect, is

[1] Constitution, Art. iv, Sect. 4.
[2] Miller on the Constitution, p. 640.
[3] 7 Howard, U. S. 1.
[4] Burgess, Political Science and Constitutional Law, II, 165.

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it not clear that it may adopt any form of governmental organization which it deems best adapted to the situation in the particular territory, and, in pursuance of this power, may vest all legislative, executive and judicial power for territorial purposes in one person and his appointees?

Such a conclusion is amply sustained by the precedents established by Congress in providing forms of governmental organization for the territories from the very beginning of our history under the constitution. The famous ordinance of July 13, 1787, for the government of the territory northwest of the Ohio River, was reënacted in all essential features by the first Congress, in an act which became a law August 7, 1789.[1] As originally enacted, the ordinance provided for a governor, in whom should be vested the executive power, and three judges, any two of whom should form a court with a common law jurisdiction, all to be appointed by Congress. The legislative power was then provided for as follows:

> The governor and the judges, or a majority of them, shall adopt and publish in the district such laws of the original states, criminal and civil, as may be necessary, and best suited to the circumstances of the district, . . . which laws shall be in force in the district until the organization of the general assembly therein, unless disapproved by Congress; but afterwards the legislature shall have authority to alter them as they shall think fit.

The ordinance further provided that, when a certain population should be reached, a legislative council and house of representatives were to be entrusted with the legislative power, subject to a veto power in the governor. The only change of importance made by the law of 1789 was in the method of appointment, commission and removal, which was assimilated to that used in the case of officers provided for by the constitution. Somewhat later Congress authorized the governor and judges to repeal and alter laws which they had once adopted — a power not granted by the ordinance in its original form.

[1] U. S. Statutes at Large, I, 50.

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We have, therefore, in this case a form of territorial organization in which the principle of the separation of powers is entirely ignored, all legislative power being vested in a body composed of the executive and judicial officers of the territorial government. This form of organization was followed for many years in the acts erecting new territories, including, with one exception, all that were carved out of the old Northwest. The legislative power was vested in the governor and three judges, exactly as in the original ordinance, in the case of the following territories: Territory south of the Ohio River, by act of May 26, 1790; Indiana, act of May 7, 1800; Michigan, act of January 11, 1805; and Illinois, act of February 3, 1809.[1] By the act of March 26, 1804,[2] by which the territory acquired under the Louisiana purchase was divided into two parts and a government provided for each, the legislative power within the Territory of Orleans was vested in the governor and "thirteen of the most fit and discreet persons of the territory, to be called a legislative council, who shall be appointed annually by the President." Laws were to be enacted by the governor, by and with the advice and consent of the council. Here also legislative powers are vested in an executive officer, in violation of the theory of the separation of powers. By the same act the governor and judges of Indiana Territory were given power over the other portion, the "District of Louisiana"; but in the following year a separate organization was created for this District, with the legislative power entrusted to a governor and three judges.[3] Finally, in the case of Florida, a plan similar to that adopted for Orleans in 1804 was followed.[4] Not until 1836, when we come to the territory of Wisconsin, the last to be formed out of the old Northwest, do we find three separate departments created from the outset.[5]

Principle and precedent unite, therefore, in sustaining the first proposition which I have undertaken to support. Looked at from another point of view, it seems obvious enough. When Congress provides no form of local governmental organization

[1] U. S. Statutes at Large, I, 123; II, 58, 309, 514.
[2] *Ibid.*, II, 283. [3] *Ibid.*, II, 331. [4] *Ibid.*, III, 654. [5] *Ibid.*, V, 10.

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for a territory, but acts directly, as we have seen it may, we find all power, legislative, executive and judicial, concentrated in one body — that is, no separation of powers at all. Why, then, should any be necessary when, instead of acting directly, Congress adopts the more convenient and practical plan of appointing agents to act for it?

II.

But, granting all this, one question remains to be answered: May Congress designate as this one person the President of the United States, provided, of course, he is willing to accept the office? I can discover no provision of the United States Constitution which would in any way operate to prevent such a selection. As we have seen, Congress, in this case, would not delegate the legislative power vested in it as one of the three departments of the national government by the constitution, but would merely confer upon the President, or rather upon the person holding for the time being the presidential office, the power which Congress admittedly possesses of governing the territory in question. The President, in carrying out the duties of such an office, would be acting, not as the President of the United States, but simply as the appointee and agent of Congress. In other words, one person would hold two offices — the presidency of the United States and the governorship of a territory — which, so far as I can see, are in no way incompatible. I think I am justified in saying that the only incompatibility created by the constitution is that between membership in the Congress and the holding of civil office under the United States.[1] That provision has obviously nothing to do with the case in hand.

As a matter of fact, the case for the Spooner Bill is won when it is once admitted that in governing the territories Congress need not act directly, but may delegate to agents

[1] Constitution, Art. i, Sect. 6. It may not be without interest in this connection to point out that Marshall presided as Chief Justice at the February term of the Supreme Court in 1801, though still holding the office of Secretary of State.

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such powers as it sees fit, regardless of the separation of powers. The principle that Congress may not delegate to the President any part of its power as a national legislative body is only a part of a much broader proposition, *viz.*, that it may not delegate that power to any other person or body whatsoever, whether officers of the government or not. Its power of local government in a territory it may, however, delegate in whole or in part to others, and therefore to the President, unless its inability to do this be rested on some principle other than that on which the prohibition is based in the case of its powers as a national legislature. So far as I am aware, no other principle has ever been suggested. May we not, therefore, safely answer our second question also in the affirmative?

If the foregoing views be sound, we must conclude that the doctrine that Congress may not delegate its powers of legislation to the President is absolutely no bar to the adoption of the principle of the Spooner Bill, and that Congress may, if it thinks it advisable, enact such a law, with no fear that its constitutionality can be successfully impeached. The expediency of that or any similar project it is not the purpose of the present article to discuss. It may, however, be pointed out in conclusion that we need have no fear that the adoption of the plan would result in an increase in the powers of the President at the expense of the other branches of the national government; for in this case the power that grants may also take away, and Congress could at any time by the requisite majority revoke the authority which it had from motives of convenience conferred upon the person occupying for the time being the presidential chair.

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THE STUDY OF ECONOMIC GEOGRAPHY.

ECONOMICS and geography are brought together in the title as epithet and noun, because, though commonly considered separately, the two subjects are rightly correlative. Each study has, of course, its particular point of departure. Economics proceeds from the subjective side and explains the activities of man; geography starts from the objective side and describes the phenomena of nature. If consistently pursued, the lines of economic and geographic investigation are nevertheless certain to intersect; because the facts which they follow are reciprocally related. On the one hand, the economic activities of man are determined from the first by the phenomena of nature; and, on the other hand, the phenomena of nature are subsequently modified by the economic activities of man. Since this is the case, to start the deductions of economics, the inductions of geography are necessary; and to continue the inductions of geography, the deductions of economics are required. Logically, therefore, economics is impossible without geography, and geography is incomplete without economics.

In practice, however, no such connection has been established between the two studies. Economists, on their side, are content to generalize the data of geography, and geographers, on their side, have seen fit to ignore the principles of economics. This disjunction of two subjects that are rightly related is detrimental in a double sense; for it impedes the progress of science and obstructs the course of education. To bridge the existing divergence, extensions must be made from both sides: economics should be carried over into geography, and geography should be continued into economics. With this end in view, I shall first follow the logic of each subject to its point of dependence upon the other, and then attempt to establish the requisite connection between the two in the study of economic geography.

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Starting from the subjective side, economics explains the activities of man through the principle of utility. According to this doctrine, human beings are impelled to action by a desire to obtain pleasure and a wish to avoid pain. Accepting the philosophical principle as a working hypothesis, economists have undertaken to reduce the utilitarian dictum to calculable terms. This they have done by an elaboration of Gossen's law of the declining scale of utilities. That is to say, through psychic analysis economists arrive at the familiar concept of marginal utility, which, they rightly contend, is the subjective determinant of value. Jevons even went so far as to say that value depended entirely upon utility; but modern economists recognize the necessity of taking objective elements also into account, and agree with Marshall that value is determined by two sets of factors, utility and cost, even as the act of cutting is accomplished by both blades of a pair of shears. We may think, then, of two sets of forces determining value — one a down-driving force emanating from human nature, the other an up-pushing force proceeding from outer nature. The former force is manifested in the phenomena of demand; the latter force is exhibited in the phenomena of supply.

Now demand and supply, though correlative terms, are subject to entirely different laws, because one is a psychic and the other a physical phenomenon. Human nature being at all times and everywhere the same, the doctrine of marginal utility, derived from psychic analysis, may be taken as universally applicable. It is, accordingly, possible to generalize from the subjective side and to regard the laws of demand as absolute. But outer nature is to the last degree diversified: appropriate natural objects, the things which go to satisfy men's wants, differ from time to time and from place to place. It is necessary, therefore, to particularize on the objective side and to consider the state of supply as relative. Conscious of this obstacle in the way of deduction, economists have attempted to avoid the difficulty by grouping goods into ideal categories and formulating abstract laws for the augmentation of supply within each group. For freely reproducible goods increasing returns are postulated; and upon this

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presumption the laws of competition price, interest and wages are established. For progressively limited goods, on the other hand, a scale of decreasing returns is presumed; and from this category the laws of monopoly price and rent are derived.

But, however acceptable for the formulation of theories, this method is manifestly inadequate for the elucidation of facts. If confined thus to an analysis of human wants and a generalization of the means of satisfaction, economics must remain abstract and philosophical. To reduce the study to scientific terms a concrete corrective is required, and this can come only from the observation of objective phenomena. Observation must, of course, be guided by economic theory, but the theory alone is not enough. *Economic psychology* is, in short, insufficient, because it affords simply a principle for the formulation of the general laws of demand. To develop the special state of supply, *economic geography* is necessary, or, in other words, a descriptive study of the natural resources of the earth and their application, through the processes of production, distribution and exchange, to the satisfaction of human wants.

Only after such an investigation has been completed can the universal down-driving force of declining utilities be actually measured off against the particular up-pushing force of increasing provision, and the development of values be definitely determined and previsedd. Except in a sporadic way and for particular purposes, economists have not as yet undertaken any such descriptive study of goods. It has not, indeed, been their duty to do so: their task has thus far been to analyze human nature and to formulate the abstract laws of value from the point of demand. This they have done, and done well; but the time has now arrived to approach the phenomenon of value from the concrete side of supply. Economic geography is, in short, the natural correlative of economic psychology, the two together constituting the completed science of economics.

The dependence of economics upon geography appears, accordingly, at the point where the science passes over from its psychic premises to consider physical phenomena. Having established the necessary connection from the subjective side,

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let us next turn to the logic of geography and determine its point of dependence upon economics.

Looking over the literature of geography, we are struck at once by a significant division. Some geographers proceed from the established principles of science; others start from the recorded facts of history. Both groups describe the terrestrial globe, but from different points of view. To the former group the earth appears in the foreground and humanity in the background; to the latter group humanity appears in the foreground and the earth in the background. Scientific geographers, if they consider man at all, regard him as a mere incident in the cosmic scheme; historical geographers, on the other hand, deal in the first instance with man, and look upon the habitable globe as designed for his special benefit. So decided is the division between these two schools of geographers that they appear to possess nothing in common but the name. The scientific geographers stop short before the phenomenon of civilization and take no account whatever of the recorded facts of history; while the historical geographers, in describing the various aspects of civilization, pay absolutely no attention to the established principles of science. This disjunct condition of the general subject complicates our task considerably. In order to establish geography's general point of dependence upon economics, we shall be obliged to run through the literature of both schools. Suppose we begin, then, with scientific geography.

In its elementary sense geography means a description of the earth. To describe an object is to represent in words, or exhibit by a figure, its nature, its properties and its purposes. Each of these aspects of the earth is considered by scientists of sufficient importance to warrant a separate consideration. There are, accordingly, three recognized divisions of geography: mathematical geography, which deals with the earth as a whole, exhibits its nature and determines its relation to other members of the solar system; physical geography, which describes the superficial properties of the globe, its rigid lithosphere, its mobile hydrosphere and its circumambient atmosphere;

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and biogeography, which recognizes a vital purpose in nature and regards the world as adapted to the support of life. In order to facilitate the study of the various forms of life, biogeography is further subdivided into: botanical geography, which describes the distribution of plants; zoögeography, which describes the distribution of animals; and anthropogeography, which describes the distribution of mankind. It should be noted that the sequence, as thus set forth, separates inorganic from universal, and organic from inorganic, phenomena; and, furthermore, arranges the various manifestations of life in an ascending series, according to the evolutional order of their elaboration. Under this system of classification, account is also taken of the fact that geography is essentially descriptive. For this reason, each department of the subject is made to depend upon an antecedent science. Mathematical geography is thus directed by astronomy, physical geography by geology, and biogeography by biology. In like manner, each of the subdivisions of biogeography emanates from its special science — botanical geography depending upon botany, zoögeography upon zoölogy and anthropogeography upon anthropology. Systematic geography may, accordingly, be said to proceed from the so-called exact, or what I should prefer to speak of as the established, sciences, and consequently constitutes a series of descriptive studies of natural phenomena whose principles have previously been explained.

Such is the existing scheme of systematic geography. To so logical a sequence no exception can be taken, except on the score of completeness. Scientific geography starts out to describe the various aspects of the earth's surface, but stops short before the culminating phenomenon, civilization. For a descriptive study of human activities, no category is apparently provided — unless, perhaps, anthropogeography can be stretched out sufficiently to serve. Starting with the recognition of a vital purpose in nature, biogeography, it will be noticed, concludes its account of the living world with a description of the distribution of mankind. Looking along the line of construction, it seems, therefore, as though the course of

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geographic investigation might readily be carried over into the realm of human affairs, by simply extending this last section dealing with the distribution of man. But this is an optical delusion, due to foreshortening and a faulty perspective, which makes the end of the last completed span look like the beginning of one still to be constructed. To become convinced of our error we have only to shift our standpoint slightly, so as to obtain a transverse view of the structure. Looking across the classification, biology stands out as the last antecedent science giving shape to the geographic arch which spans the organic world. Anthropogeography, the end section of this arch, constitutes an integral part of biogeography and is consequently confined to a consideration of purely organic phenomena. Man is, of course, included within the scope of the classification, but only in his animal attributes, and not in his human capacity. Biologically speaking, all forms of life are subject to the same evolutional law. From the organic point of view, therefore, plant life, animal life and human life may all be regarded as but different manifestations of one vital force and classified accordingly. So far as his physiological functions are concerned, the human being is, no doubt, merely a higher animal; but what shall we say of his psychic activities? Surely in this respect man is superior to the lower orders and distinct from the animal world. It is only by unduly stretching a vicious analogy that these psychic activities of mankind, which are outwardly manifested in human institutions, can be accounted for by biological formulæ. This is the case because the phenomena of civilization are not essentially organic: they transcend the animal world and are consequently superorganic. But for these superorganic phenomena, for the description of civilization, in short, no category is provided under the existing system of scientific geography. The established sequence is accordingly deficient at the upper end, because biogeography recognizes no fundamental distinction between man and beast and fails, for this reason, to emphasize the relative importance of human affairs.

The cause of this failure is easily explained. Scientific

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geography proceeds from established principles : before describing any set of phenomena it fastens first upon the distinguishing characteristic, and takes this as its point of departure. But, as science has not yet concerned itself seriously with the phenomenon of civilization, no criterion is available for the descriptive study of humanity. Between organic and superorganic phenomena there is no recognized canon of distinction, and for this reason scientific geography takes no separate account of the recorded facts of history. The vital principle upon which biogeography proceeds serves, as we have seen, to identify the various forms of life, and makes the difference between animality and humanity simply one of degree. The distinction in kind which certainly exists between the modes of animal life and the methods of human procedure must, consequently, be accounted for upon some other principle. A new element evidently enters in at this stage of the evolutional scale to effect the obvious differentiation between physiological function and psychic activity, between organic and superorganic phenomena. Economics is the element in question ; but, as this is not apparent upon the surface, an analysis is necessary.

Physiologically considered, man is merely a higher animal, the final product of the organic process. But the moment we regard the individual from the psychological standpoint, he is at once distinguished from the lower orders by his economic activities. Being impelled by the desire of self-preservation, all sentient creatures seek to acquire the good and repel the bad things of the world. But between man and beast the order of emphasis is reversed. Animals are mostly anxious to avoid pain ; human beings are mainly desirous of obtaining pleasure. The reason for this is to be sought in the psychic characteristics of the two orders. Beasts' needs are purely quantitative, and consequently decline with gratification until satiation ensues, not to emerge again until the same appetites are again aroused. Human wants, on the contrary, are qualitative, so that before one is completely satisfied another emerges in the mind, and so on almost indefinitely. Life means more to

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man, therefore, than a mere gratification of instinctive desires; existence in his case involves a comparison of utilities; and, as his resources are limited, success comes to depend upon his capacity to choose. Thus, while animals in avoiding pain are content to assimilate subsistence, human beings are led by the pursuit of pleasure to utilize resources: beasts procure provisions, men produce goods. Furthermore, in seeking subsistence, animals for the most part obey blind instinct; but in producing goods to satisfy their ever-increasing wants men are obliged to exercise inventive ingenuity. Man's desire to widen the scope of his consumption compels him, in other words, to improve his means and methods of production. Increasing consumption and improved production lead, in turn, to another set of economic activities which separate man still further from the lower orders — I refer to the phenomenon of saving. Some animals hoard their provisions, it is true, but only by instinct and with no conscious regard to the relation between present and future wants. In fact, if we may judge from squirrels, voles and bees, they usually overdo the matter. Man, on the contrary, may be said to save in the strict sense of the term. That is to say, he reckons rationally ahead, measures immediate uses against anticipated wants, deducts future demand from present supply, and counts consciously in utilitarian terms. The normal man is, in short, an economizer; while the beast is at best but a hoarder.

In taking utilization, ingenuity and saving as peculiar to humanity, and opposing them to assimilation, instinct and hoarding, characteristics of animality, I have no doubt somewhat overshot the mark for the sake of emphasis. No such hard and fast distinctions can, of course, be drawn, — many men, for example, act on instinct and some animals are distinctly ingenious; but nevertheless, taking economics as our criterion, we are certainly justified in setting human beings in a separate psychic category above the lower orders.

This distinction is equally obvious on the objective side. However alike organically man and beast may be, they are certainly not subject to the same external agencies. It is a

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commonplace of biology that the struggle for existence everywhere results in the adaptation of the organism to its environment; but there is a marked difference between men and animals in this respect. Interaction is apparent in both instances between internal and external forces, but in passing from animality to humanity the relative intensity of the two influences is reversed. In the organic world life is largely determined by the nature of the environment; while in the superorganic world the nature of the environment is greatly modified by life. The distinction is best brought out by the antithesis between the passive and active modes: animals are passively adapted to their environments, human beings actively adapt themselves to their surroundings; beasts are naturally fitted for their habitats, men consciously conform to their conditions. In both cases it is the character of the food supply which occasions the primary modifications; but, while beasts are usually content to live upon what they can find, men for the most part find what they can live upon. Or, to put it more elaborately, animals' habits are determined for them by nature in such a manner that they may secure with greater facility the food of their choice; while human beings naturally determine their own habits in such a manner that greater facility may be secured in the choice of their food. Outer nature acts differently, in short, upon physiological function and psychic activity, tending to fix the manifestations of the former and constantly to encourage the elaboration of the latter. Thus, though subject to the same evolutional law of life, man's position in the world differs from that of the lower orders in this: to him alone outer nature offers limitless possibilities of improvement. The objective distinction between organic and superorganic phenomena may thus be set forth in the form of an axiom: it is the physical environment which determines the nature of the beast, and the economic environment which occasions the character of the man.

If this analysis is correct, economics distinguishes superorganic from organic evolution on both the subjective and the objective side, and may consequently be accepted as the

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fundamental criterion of civilization. Granting this, scientific geography requires the economic element to complete its classification and carry its descriptive study into the realm of human affairs. Thus, as the point of dependence of economics upon geography was found to be where the science goes over from its psychic premises to consider physical phenomena, so scientific geography is seen to depend upon economics at the point where the descriptive study passes beyond its consideration of physiological functions to enter the field of psychic activities.

Having determined the point at which scientific geography depends upon economics, let us now turn to historical geography and discover where and to what extent it is dependent upon the same science.

Historical geography starts, as we have seen, from the recorded facts of history and deals in the first instance with the phenomena of civilization. Instead of constituting a consistent system, like scientific geography, however, it is made up of separate sets of descriptive studies, which succeed one another at haphazard. Each attempts to describe certain activities of man, or different phases of civilization; but none proceeds upon any formulated plan, and no general principle of consistency holds the several sets together. As no order is specified, we may run through the literature at random. Beginning with the more modern works, we shall discover, to our surprise, that the recently written commercial geographies pass over the basic process of production entirely and, without taking the trouble either to postulate the underlying principles of trade or to trace the gradual growth of commercial activities, proceed at once to describe the established system of exchange. From a scheme so narrowly conceived, little of value should be expected. The most that can be claimed for these commercial geographies is, that they are convenient repositories of useful information regarding the products of different countries, the established routes of trade and the relation between imports and exports. More might be expected of political geography, since the principles of politics have been worked out with such

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care. But, judging from their books, political geographers apparently prefer to rely upon colors and figures, rather than upon principles, in the elucidation of the data at their disposal. Instead of being guided by such political theories as have already been formulated, these descriptive studies are written without the least regard to anything beyond mere technical consistency. As a result, political geographies are for the most part made up of variegated maps exhibiting the territorial extent of states, population statistics set forth in tabulated form and running commentaries upon the topography of the various countries considered. The distinctly historical geographies constitute a separate series; but these books are merely political geographies, further complicated by the consideration of chronology. The typical historical geography is, as a matter of fact, a mere mechanical combination of out-of-date editions of political geographies bound together in one volume, which at best conveys but a kaleidoscopic impression of national development. The so-called general geographies, finally, are simply an ingenious hotch-potch of the foregoing, whereof commercial geography, political geography and historical geography constitute the main ingredients, with charts and illustrations thrown in to complete the mixture. In running through the geographies of civilization, confusion confronts us on every side, and, bewildered by colored maps, statistical charts, tabulated returns and descriptive details, we are sure to give up in dispair. Consecutive reading being well-nigh impossible, and unprofitable at best, we abandon all attempt to pursue the subject any further and, consigning our geographies to such shelves as are high enough to hold them, we use them henceforth, as we do our dictionaries and encyclopedias, for reference exclusively — to look up surreptitiously some remote place spoken of in society or mentioned in the papers, of whose exact location on the map we modestly fancy we alone are ignorant.

The fundamental difficulty with these geographies of civilization is that they start from isolated points of departure and recognize no coördinating element in the phenomena described.

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The facts with which they deal are familiar enough, but the principle of consistency escapes us amid the mass of detail. What is needed is a guiding thread of theory; for, as Comte has rightly said, "No real observation of any kind of phenomena is possible, except in so far as it is first directed, and finally interpreted by some theory." In order to systematize the study of historical geography a basic principle is necessary, which shall coördinate the various aspects of civilization and set the descriptive study of humanity upon a consistent course. Economics is the principle in question; but, as this is not generally recognized, it will have to be set forth more specifically.

I have already indicated that the economic element distinguishes humanity from animality, psychic activity from physiological function, superorganic from organic phenomena. It is now my task to show that the economic principle also serves to coördinate the various elements of civilization. Evolutionary elements may be said to be coördinated when the end, the means and the purpose implied in the process are determined and accounted for upon some principle of development. The elements of organic evolution have been coördinated in this way by biology. We may take this scientific system as a standard, therefore, and determine whether economics will perform the same service for superorganic evolution. Let us compare superorganic with organic evolution and see whether we can work out a parallel between economics and biology that will apply.

As organic evolution results in the survival of the fittest species, so superorganic evolution may be said to culminate in the success of the most efficient institutions. The end of the former process is the support of life; the end of the latter process is the ascendancy of civilization. Now life is supported by interaction between heredity and environment — that is to say, through subjective and objective means. On the subjective side, heredity supplies vitality, the desire of self and kind preservation, which urges the organism to struggle for existence and propagate its species. On the objective side, the environment furnishes food, the physical means of support.

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In somewhat the same way, civilization is maintained by interaction between demand and supply — that is to say, through subjective and objective means. On the subjective side, demand develops the concept of utility, which urges men to improve their condition by satisfying an expanding series of wants. On the objective side, supply affords the material resources of such satisfaction, in the shape of useful things or goods. Thus, as vitality is the subjective, and food the objective, means of organic survival, so utility may be taken to be the subjective, and goods the objective, means of superorganic success. The support of life involves, on the functional side, the recurring gratification of quantitative desires and, on the physical side, the presence of sufficient food. The purpose implied in the organic process is consequently *vital.* The ascendancy of civilization means, on the psychic side, the increasing satisfaction of qualitative wants and, on the physical side, the variation of resources. Superorganic evolution is thus characterized by expanding utilities and increasing utilization; the purpose implied in the process is, accordingly, *utilitarian.* Thus, as biology, by taking account of the interaction between heredity and environment, coördinates the factors of organic evolution about the principle of vitality, so economics, by taking account of the interaction between demand and supply, can coördinate the elements of superorganic evolution about the principle of utility. If this be true, economics is the principle of consistency required to systematize the descriptive study of civilization. Historical geography is, accordingly, dependent upon economics all along the line — to coördinate its isolated points of departure, to connect its separate series of descriptions and to determine its course of procedure.

Our survey of the literature of the two schools shows us that scientific geography and historical geography are both dependent upon economics — the former to complete its classification, the latter to formulate its facts. Scientific geography has worked up to economics and stopped short before civilization; historical geography has passed over economics and failed to follow civilization — both for the lack of this

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antecedent science. To establish a logical connection between the two lines of geographic investigation, and make the study of geography consistent, it is only necessary, therefore, to interpolate the economic element and proceed upon this principle through the descriptive study of humanity. Geography's general dependence upon economics is, accordingly, apparent at the point between the descriptive studies of organic and superorganic phenomena, where at present occurs the break between the established principles of science and the recorded facts of history.

Having followed the logic of each subject to its point of intersection with the other, the relation between economics and geography is seen to be one of mutual dependence. Economics makes geography complete by supplying the principle of utility; geography renders economics exact by tracing the process of utilization. It only remains, therefore, to connect the two subjects in a consistent system and attach the study of economic geography to the scheme of organized knowledge.

Looking along the line of established theories, we find each abstract science succeeded by a corresponding descriptive study; following the course of formulated facts, we see that every descriptive study is preceded by an antecedent science. In this way universal, inorganic and organic phenomena have already been explained and described; but here the established system stops, with biology the final antecedent science and biogeography the last descriptive study. The development of humanity, which lies beyond, has not as yet been systematized. But if economics is accepted as the antecedent science, and economic geography pursued as the corresponding descriptive study of civilization, it will be possible to extend the structure of organized knowledge into the superorganic realm. To this end junctions must be effected with established theories, on the one hand, and with formulated facts, on the other. Economics is easily connected with biology, because the principle of utility is an outgrowth of the principle of vitality. Placed in this position next to biology, economics, as the antecedent science of civilization, gives shape to the geographic section spanning the

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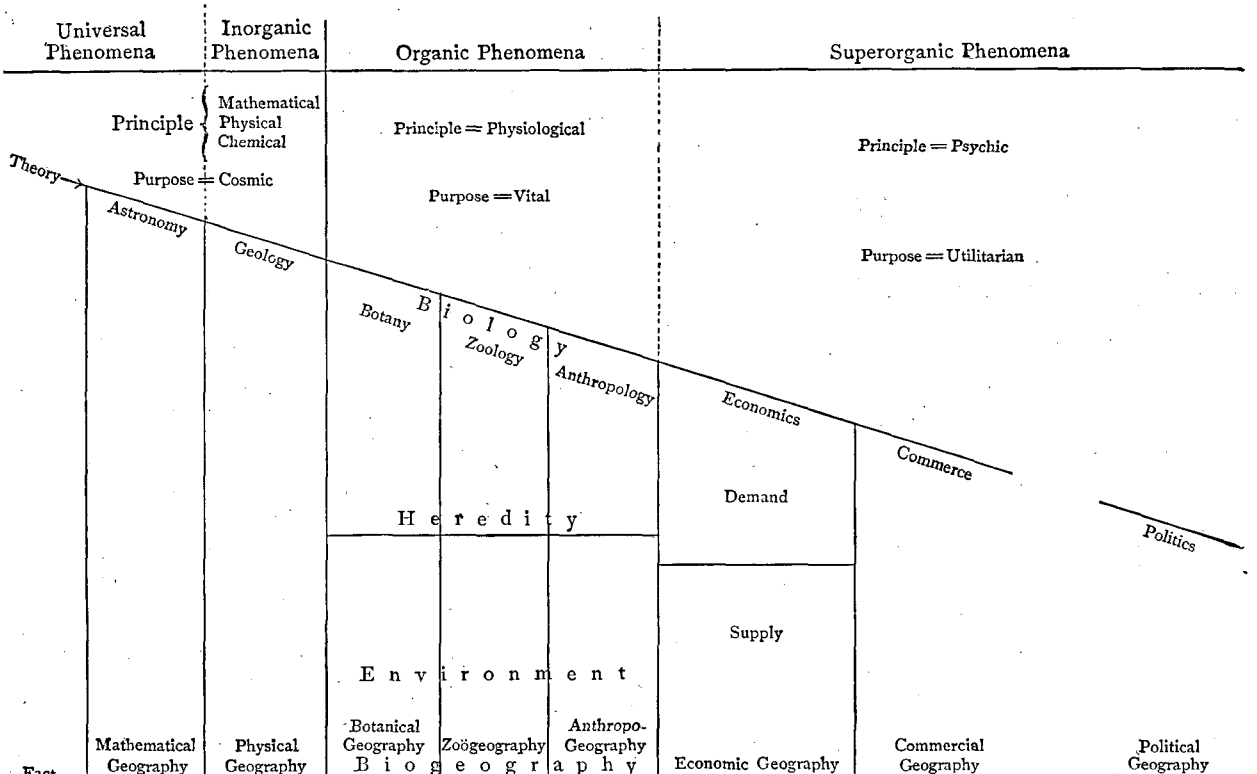

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superorganic world. Along the corresponding line of formulated facts, economic geography, the descriptive study of civilization, comes next to biogeography, the junction between the two systems being effected in this way: Biogeography starts from the physiological principle of vitality, describes organic phenomena, recognizes a vital purpose in nature and regards the earth as adapted to the support of life. Economic geography proceeds from the psychic principle of utility, describes superorganic phenomena, recognizes a utilitarian purpose in nature and considers the world as fitted for the ascendancy of civilization.

In a later article on the "Methods of Economic Geography" I shall attempt to systematize the descriptive study of civilization, and indicate the points of departure of the supplementary sections dealing specifically with commercial geography, political geography and historical geography. For the present enough has been said, I hope, to warrant me in making the following claims for the study of economic geography. First, by describing the development of supply, economic geography reduces the abstract laws of demand to calculable terms and so renders the science of economics concrete and exact. Second, economic geography completes the classification of scientific geography, systematizes the sections of historical geography and so renders the course of geographic investigation consistent in all its parts. Third, pursued as a separate descriptive study, economic geography will serve the cause of education in a number of ways. It will, in the first place, give the student a knowledge of the resources of the earth and of their historical application through utilization to the satisfaction of human wants. In the second place, the descriptive study of civilization will set before the student the actual development of the processes of production, consumption, distribution and exchange, and so afford him a fair outline of economic evolution. This will enable the student, in the third place, to apply the abstract principles of economics, and — when the descriptive study is extended as above

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suggested — also the principles of commerce and politics to concrete states of civilization. In a word, this knowledge of environmental conditions, succeeded by a survey of economic evolution, will afford the student an outlook upon the present, and enable him to understand the modern trend of industrial and civic affairs. For these reasons, scientific and pedagogical, it seems to me that, in elaborating any scheme of courses in commercial education, economics should be set first in the list of required sciences and economic geography inserted next as the fundamental descriptive study.

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THE STOCK OF GOLD IN THE UNITED STATES.

THE recent revival of interest in the question whether the estimate of the stock of gold in the United States is excessive or not — a question which caused considerable discussion some fifteen years ago — leads me to present some of the results of my recent examination of the available statistics since 1873, when the original estimate was prepared upon which the present statistics are based. I first gave these statistics attention in December, 1885, when a brief criticism was published,[1] which resulted in a slight reduction of the estimates. Following the data subsequently published from time to time, I found reason to modify the views I entertained in 1885; but my opinion that the estimates are excessive has been strengthened. In a paper read before the International Statistical Congress in 1893, and again in my *Monetary Systems of the World*,[2] I presented tentative estimates of the probable deductions to be made; these also are modified by further study. My conclusion now is that the overestimate of our gold stock amounts certainly to one hundred millions, probably to one hundred and twenty-five millions, and possibly to one hundred and fifty millions.

As complete statistics to the end of the year 1899 were not available when I undertook my recent examination, I covered only the quarter century ending June 30, 1898. The published estimate of the stock and location of gold on that date is as follows[3]:

Total stock, coin and bullion . .		861.5 millions
In the Treasury, coin	106.9 millions	
" " " bullion . . .	96.7 "	
In national banks	266.5 "	
A total of *known* gold of . . .		470.1 "
Leaving in other banks and in the people's hands .		391.4 "

[1] Finance Report, 1885, p. lxxxvii; also 1886, p. 199; Production of Gold and Silver, 1885, p. 74. [2] Edition of 1896, p. 72. [3] Finance Report, 1898, p. 437.

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It is this last-mentioned sum which, owing to the fact that it cannot in the nature of things be definitely accounted for, gives grounds for criticism of the estimates. The most recent discussion is that of Professor Falkner, in the *Forum* for August, 1899. While not agreeing with all of his conclusions, I concur in the view that a revision of the estimates is most desirable, if it is clearly demonstrable that they are materially inaccurate.

The estimate for 1898, given above, shows that more than forty-five per cent of our supposed stock is statistically unaccounted for. In order to reduce this proportion, it is necessary to ascertain the amounts held by financial concerns other than national banks, *i.e.*, state, savings and private banks, and trust companies. These are not required, however, to report their cash holdings specifically, except in a few of the states; and so the amount of gold held by them can only be approximated. Professor Falkner prepared such an estimate for 1896, using a method similar to that frequently employed by me, which I have demonstrated by numerous experiments to be entirely logical. The presumption is that the concerns operating under state laws, influenced generally by the same conditions, would hold about the same proportion of gold in their cash as their neighbors operating under national charters. This has been verified in cases where specific statements are furnished by state banks. If, therefore, the total cash held by these concerns can be ascertained, an estimate of the amount of gold included in that total, based upon the known proportion in the case of national banks, cannot be far out of the way.

It is impossible to obtain accurate statements of the cash held by institutions other than national banks: their reports, as collated by the Comptroller of the Currency,[1] are incomplete in most of the years; many of the returns include "cash items" with actual cash; and in many cases the periods of the reports do not correspond with those of national banks. Nevertheless, a result fairly satisfactory may be obtained by discriminating additions or deductions.

[1] Report of Comptroller of the Currency, 1898, p. 608.

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The report of the condition of national banks for July 14, the date nearest June 30, 1898,[1] shows that the total cash held by them amounted to 492.9 millions. This included gold coin and gold clearing-house certificates[2] to the amount of 266.5 millions, a ratio of nearly fifty-two and one-fourth per cent. The comptroller reports[3] the cash held by other financial concerns at 194.9 millions; adding (say) ten per cent for concerns not reporting (19.5) gives a total cash of 214.4 millions; and fifty-two and one-fourth per cent of this sum is one hundred and twelve millions. An additional sum should be allowed for the holdings of banks in California, where the use of paper is practically *nil* and the greater part of the banking business is carried on under state laws. This would readily bring the amount of gold held by financial concerns other than national banks to one hundred and seventeen millions.

After deducting this sum from the amount of gold not accounted for in 1898, there still remains the sum of two hundred and seventy-four millions, nearly thirty-two per cent of the estimated stock, which is supposed to be "in the hands of the people." As no one who has given the subject serious thought believes that such a large amount is in circulation, in hoards, *etc.*, this indicates that either the data or the methods employed have led to erroneous results.

Our statistics begin with 1873, in which year Director of the Mint Linderman concluded that twenty millions would cover the amount of gold in use in the Pacific Coast States (where paper currency never came into use to any appreciable extent); he estimated that outside of the Treasury and national banks there was not more than ten millions east of the Rocky Mountains; to this total of thirty millions he added the reported amounts held in the Treasury and national banks, obtaining a total of one hundred and thirty-five millions for June 30, 1873.[4]

[1] Finance Report, 1898, p. 191.

[2] These certificates represent actual deposits of gold with the clearing-houses, or with some institution designated by the clearing-house banks of a given city, in several of the larger cities.

[3] Finance Report, 1898, p. 232.

[4] Finance Report, 1898, pp. 439, 440. This is not exactly as stated in the report referred to, but my version is substantially correct.

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He then annually added the product of the mines and the imports, deducting the exports but making practically no deduction for gold used in the arts.

Director Burchard, who succeeded Dr. Linderman in 1879, revised these estimates,[1] endeavoring to confine the statistics to United States coin; but, since the reports of the imports of gold did not, prior to 1878, separate foreign coin, the result was necessarily imperfect. The method adopted by him was to add to the estimated stock of coin the annual coinage of the mints and the imports of the United States coin; deduct the exports and estimated industrial consumption of such coin; and add to the resulting sum of coin the bullion held in mint offices at the end of the year, in order to arrive at the total stock. This method has been continued by the Mint Bureau to the present time. It will be observed that, unlike the Linderman method, it takes no account of the product and movement of bullion.

Director Kimball, who succeeded to the office in 1885, concluded that his predecessors should have deducted small sums for coin used in the arts from 1874 to 1880. Accordingly, in that year he reduced the estimated stock of coin by thirty millions;[2] and in the following year he made a further reduction, due to errors in the earlier estimates pointed out by me, amounting to 20.4 millions.[3]

For the purpose of a critical examination of the estimates, I have collated the statistics in a series of tables, the first of which (*A*) summarizes the annual estimates and revisions from 1873 to 1898.

1. Director Linderman started with thirty millions as the amount of gold outside of the Treasury and national banks — a sum which has been universally accepted as most reasonable. In order to obtain a total of one hundred and thirty-five millions for June 30, 1873, he must have had before him a statement representing that the gold in the Treasury and national banks amounted to one hundred and five millions; in fact,

[1] Finance Report, 1879, p. 199. [2] Finance Report, 1885, p. 180.
[3] Finance Report, 1885, p. lxxxvii, 1886, p. 199.

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A. — THE MINT ESTIMATES OF THE STOCK. SHOWING THE SEVERAL REVISIONS.

(*Amounts throughout are in millions of dollars. Occasional variations of 0.1 are unavoidable.*)

Fiscal Year.	Linderman, 1873–1878. *Coin and Bullion.*	Estimates and Revisions. Burchard, 1874–1884. — Kimball, 1885–1888. Mint Bureau, 1889–1898. *Coin only.*							Add Bullion in the Treasury.[3]	Total. *Coin and Bullion.*[4]	Location of the Stock.[5]		
		Net Coinage.[1]	Net import + or export — of Coin.[1]	Coin used in the Arts.	Net gain + or loss —.[1]	Stock of Coin at end of Year.[1]	Kimball's Deductions.[2]	Revised Coin Stock.[3]			In the Treasury.	In National Banks.[6]	In other Banks and in hands of people.
1873 . . .	135.0	—	—	—	—	135.0	15.7	119.3	15.7	135.0	72.3	3.4	59.3
1874 . . .	154.1	34.8	— 7.6	—	+ 27.2	162.2	24.5	137.7	9.7	147.4	68.4	5.0	73.9
1875 . . .	130.0	30.7	— 52.6	—	— 21.9	140.3	28.8	111.5	9.6	121.1	56.7	3.7	60.8
1876 . . .	151.6	35.6	— 22.5	—	+ 13.2	153.5	33.1	120.4	9.7	130.1	55.2	4.8	70.0
1877 . . .	192.7	41.7	— 1.3	—	+ 40.4	193.9	37.4	156.5	11.0	167.5	89.4	5.3	72.8
1878 . . .	244.3	51.2	+ 2.3	—	+ 53.5	247.4	41.7	205.7	7.5	213.2	128.5	8.2	76.5
1879 . . .	—	39.3	— 0.2	—	+ 39.1	286.5	46.1	240.4	5.3	245.7	135.2	21.5	89.0
1880 . . .	—	55.9	+ 16.5	—	+ 72.4	358.9	50.3	308.6	43.2	351.8	126.1	77.0	148.7
1881 . . .	—	78.3	+ 5.9	3.4	+ 80.8	439.7	50.3	389.4	89.0	478.4	163.2	101.9	213.4
1882 . . .	—	88.8	— 25.0	2.7	+ 61.1	500.8	50.3	450.5	56.2	506.7	148.5	91.2	267.0
1883 . . .	—	35.5	+ 3.3	2.4	+ 36.4	537.2	50.3	486.9	55.8	542.8	198.1	67.0	277.7
1884 . . .	—	27.6	— 8.4	4.8	+ 14.4	551.6	50.3	501.3	44.2	545.5	204.9	65.8	274.8
1885 . . .	—	24.6	+ 1.0	5.0	+ 20.6	—	—	521.9	66.8	588.7	247.0	83.3	258.4
1886 . . .	—	33.7	— 3.7	3.5	+ 26.4	—	—	548.3	42.5	590.8	232.6	104.5	253.7
1887 . . .	—	21.9	+ 2.3	3.5	+ 20.7	—	—	569.0	85.5	654.5	278.0	98.1	278.4
1888 . . .	—	27.9	+ 2.0	3.5	+ 26.3	—	—	595.3	110.5	705.8	314.7	95.7	295.4
1889 . . .	—	25.0	— 2.7	3.5	+ 18.8	—	—	614.1	66.0	680.1	303.6	82.7	293.8
1890 . . .	—	21.4	— 2.0	3.5	+ 15.8	—	—	629.9	65.6	695.6	321.3	78.5	295.8
1891 . . .	—	23.6	— 64.9	3.5	— 44.8	—	—	585.1	61.4	646.6	239.3	94.4	312.9
1892 . . .	—	34.9	— 27.4	3.5	+ 4.1	—	—	589.2	75.1	664.3	255.7	105.2	303.3
1893 . . .	—	29.2	— 95.8	3.5	— 70.0	—	—	519.2	78.5	597.7	189.2	100.1	308.4
1894 . . .	—	97.4	— 33.5	0.5	+ 63.3	—	—	582.5	44.8	627.3	131.2	159.1	337.0
1895 . . .	—	42.7	— 44.3	1.5	— 3.1	—	—	579.4	56.8	636.2	156.6	148.8	330.8
1896 . . .	—	57.2	+ 67.6	1.5	— 11.9	—	—	567.5	32.1	599.6	144.7	141.5	313.4
1897 . . .	—	70.6	+ 34.1	1.5	+ 103.2	—	—	670.7	25.6	696.3	178.6	176.9	340.8
1898 . . .	—	63.4	+ 32.2	1.5	+ 94.1	—	—	764.8	96.7	861.5	203.6	266.4	391.5

These statistics are compiled from the Finance Reports for the several years.

[1] Includes foreign coin, to and including 1879; imports of coin were not classified prior to 1878; hence results are imperfect. — Finance Report, 1879, p. 199.

[2] See Finance Report, 1885, p. 180; and Production of Gold and Silver, 1885, p. 74; also Finance Report, 1887, p. 144, and 1886, p. 199.

[3] For 1873–1887, see Finance Report, 1887, p. 144; for later years, the annual reports.

[4] As given in Finance Report, 1898, p. 439.

[5] For years prior to 1888, see Finance Report, 1887, p. xc; for subsequent years, the annual reports.

[6] These amounts are as reported at the time; subsequent examination gave larger amounts for 1880–1885. (Report Comptroller of Currency, 1898, p. 438.) The gold clearing-house certificates are included.

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however, this sum was only 75.7 millions,[1] so that his original estimate appears to have been excessive to the amount of 29.3 millions. When, in 1887, a detailed statement of the location of our gold stock was published, Dr. Linderman's estimate of thirty millions was increased to 59.3 millions[2] — which was hardly warranted. Hence I conclude that there should be a deduction of 29.3 millions in the estimated stock for 1873 and subsequent years.

2. I am of the opinion that the omission to take into account the statistics relating to the production and movement of bullion has tended to conceal errors in the data upon which the estimates are based. It has been urged that the statistics of production are not sufficiently accurate to be included in such an estimate; but in the discussion of other subjects these statistics are generally accepted without question; moreover, if by taking account of the movement of bullion (and foreign coin, which, for the purpose in view, must be treated as bullion), inaccuracies in coin statistics are indicated, no valid reason for omitting them remains.

The bullion account for the quarter century under consideration stands thus:

Estimated bullion product (Table *F*)		955.5 millions
Imports of bullion and foreign coin (Table *C*) . .		656.2 "
Old material, returned from the arts, deposited in mint offices (Table *B*)		55.9 "
A total acquisition of		1667.6 "
Exports of bullion and foreign coin (Table *C*)	315.8 millions	
Net amount used in the coinage (Table *B*)	1110.3 "	
Estimated industrial consumption[3]	213.4 "	
A total displacement of . .		1639.5 millions
Showing a net acquisition of .		28.1 "

But the bullion held in the mint offices, to which practically

[1] Finance Report, 1887, p. xc; also in subsequent years. [2] *Ibid.*

[3] Bar sales, Table *G*, 187.6; other bullion, Table *F* (1880–98), 19.1; 1874–79, 6.7 (Finance Report, 1879, p. 236). This estimate is probably too low.

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B. — MINT-OFFICE STATISTICS. FROM ANNUAL REPORTS OF DIRECTORS.

Fiscal Year.	Deposits in Mint Offices.[1]						Coinage.		Bars Disposed of.[2]			Gross Coinage and Bar Sales.	Reported Bullion Balance.[4]
	Domestic Bullion.	Foreign Bullion.	Foreign Coin.	United States Coin.	Old Material.	Total.	Gross.	Net.[3]	For the Arts.	For Export.	Total.		
1873 . . .	—	—	—	—	—	—	—	—	—	—	—	—	*15.7*
1874 . . .	29.7	3.2	9.3	6.3	0.7	49.1	50.4	44.1	3.8	—	3.8	54.2	9.7
1875 . . .	34.3	0.7	1.1	1.7	0.7	38.6	33.6	31.8	4.4	—	4.4	38.0	9.6
1876 . . .	37.6	1.1	2.1	0.4	0.7	41.9	38.2	37.8	3.4	—	3.4	41.6	9.7
1877 . . .	43.5	1.9	2.1	0.4	0.8	48.8	44.1	43.7	3.1	—	3.1	47.2	11.0
1878 . . .	48.1	2.1	1.3	0.3	0.9	52.7	52.8	52.6	4.1	—	4.1	56.9	7.5
1879 . . .	38.5	1.1	1.5	0.2	0.9	42.3	41.0	40.8	3.2	—	3.2	44.2	5.3
1880 . . .	35.8	21.2	40.4	0.2	1.2	98.8	56.1	55.9	4.7	—	4.7	60.8	43.2
1881 . . .	35.8	37.8	55.5	0.4	1.3	130.8	78.7	78.3	5.7	—	5.7	84.4	89.0
1882 . . .	31.3	12.8	20.3	0.6	1.8	66.8	89.4	88.8	7.3	2.7	10.0	99.4	56.2
1883 . . .	32.5	4.7	6.9	0.4	1.9	46.3	35.9	35.5	8.3	3.2	11.5	47.4	55.8
1884 . . .	29.1	6.0	9.1	0.3	1.9	46.3	27.9	27.6	6.2	23.0	29.2	57.1	44.2
1885 . . .	31.6	11.2	7.9	0.3	1.9	52.9	24.9	24.6	5.2	0.3	5.5	30.4	66.8
1886 . . .	32.5	4.3	5.7	0.4	2.1	44.9	34.1	33.7	7.0	26.2	33.2	67.3	42.5
1887 . . .	33.0	22.6	9.9	0.5	2.3	68.2	22.4	21.9	8.9	2.0	10.9	33.3	85.5
1888 . . .	32.4	21.7	14.6	0.5	3.0	72.2	28.4	27.9	10.3	7.4	17.7	46.1	110.5
1889 . . .	31.4	2.1	4.4	0.6	3.5	42.1	25.5	24.9	10.3	49.7	60.0	85.5	66.0
1890 . . .	30.5	2.7	5.3	0.7	3.5	42.7	22.0	21.4	11.6	9.3	20.9	42.9	65.6
1891 . . .	31.6	4.1	8.3	0.6	4.0	48.5	24.2	23.6	12.3	15.1	27.4	51.6	61.4
1892 . . .	32.0	10.9	14.0	0.6	3.6	61.1	35.5	34.9	11.9	—	11.9	47.4	75.1
1893 . . .	33.3	2.2	6.3	0.8	3.8	46.4	30.0	29.2	13.0	—	13.0	43.0	78.5
1894 . . .	38.7	15.6	12.4	2.1	3.1	71.9	99.5	97.4	6.1	—	6.1	105.6	44.8
1895 . . .	44.4	14.1	2.3	1.2	3.2	65.2	43.9	42.7	9.0	—	9.0	52.9	56.8
1896 . . .	53.9	6.6	3.2	1.7	3.4	68.8	58.9	57.2	9.8	29.9	39.7	98.6	32.1
1897 . . .	60.6	9.4	13.2	1.0	2.8	87.0	71.6	70.6	7.8	14.2	22.0	93.6	25.6
1898 . . .	69.9	26.5	47.2	1.2	2.9	147.7	64.6	63.4	10.2	1.5	11.7	76.3	96.7
Totals .	952.0	246.6	304.3	23.4	55.9	1582.0	1133.6	1110.3	187.6	184.5	372.1	1505.7	+ *81.0*

[1] As given in Finance Report, 1898, p. 407.

[2] The sale of bars was not authorized until May, 1882; prior transactions were merely "exchanges." Figures for 1874–1879 are from Finance Report, 1879, p. 236. The data are not complete.

[3] "Net Coinage" represents coinage, less United States coin recoined (column 4).

[4] Certain operations not specifically reported in the Annual Reports account for apparent discrepancies in the years when the balances do not "prove." Imported mint bars (previously exported and treated as "redeposits") increase total deposits by 14.6 millions. Bars exported and used in the arts, but not reported in the earlier years, probably account for the remaining difference.

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all of the bullion and foreign coin retained in the country goes, increased from 15.7 millions to 96.7 millions — a net gain of eighty-one millions for the period (Table *B*), indicating a discrepancy of 52.9 millions in the account.

There can be no error in the reported mint office balances, and the bullion reported (Table *B*) was unquestionably acquired; but an analysis of the deposits gives a clue to the cause of the discrepancy.

These deposits include (Table *B*) foreign bullion		246.6 millions
and foreign coin		304.3 "
In addition, our own mint bars exported but afterwards reimported, and classed as "redeposits," amounting to		14.6 "
It is also reported (Table *F*) that considerable foreign bullion is combined by smelters with domestic and included in "domestic deposits"; and this probably amounted for the period[1] to		45.1 "
A total of imported material deposited, of		610.6 "
The reported imports of bullion and foreign coin (Table *C*) amounted to	656.2 millions	
The exports of foreign bullion (0.3) and foreign coin, to	111.8 "	
Leaving available for deposit, only .		544.4 "
Which indicates foreign material deposited in excess of net imports reported		66.2 "

It is known that no inconsiderable sums of foreign coin and bullion brought in by individuals are not registered at custom-houses, and hence are not included in the report of imports. I estimate that the foreign coin so brought in and deposited in mint offices amounted to 9.6 millions during the twenty-

[1] Table *F*, 1880–98, calendar years 45.4; for the corresponding fiscal years 40.7, estimate 1874–79, 4.4 millions.

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C. — THE COMMERCIAL MOVEMENT TO AND FROM FOREIGN COUNTRIES. FROM REPORTS OF THE BUREAU OF STATISTICS, TREASURY DEPARTMENT.

Fiscal Year.	Total Movement.			Bullion.				Foreign Coin.[3]			United States Coin.		
	Imports.	Exports.	Net imports + or exports —.	Imports.	Exports. Mint Bars.[1]	Exports. Other Bullion.[2]	Net imports + or exports —.	Imports.	Exports.	Net imports + or exports —.	Imports.	Exports.	Net imports + or exports —.
1874 . . .	19.5	34.0	— 14.5	1.6	—	3.9	— 2.3	*10.7*	1.4	+ *9.3*	*7.2*	28.7	— *21.5*
1875 . . .	13.7	67.0	— 53.3	1.6	—	2.2	— 0.7	*6.5*	5.4	+ *1.1*	*5.6*	59.3	— *53.7*
1876 . . .	8.0	31.2	— 23.2	1.2	—	1.9	— 0.7	*3.8*	1.7	+ *2.1*	*3.0*	27.6	— *24.6*
1877 . . .	26.2	26.6	— 0.4	2.1	—	1.2	+ 0.9	*6.3*	4.2	+ *2.1*	*17.8*	21.3	— *3.5*
1878 . . .	13.3	9.2	+ 4.1	2.0	—	0.2	+ 1.8	4.0	2.6	+ 1.4	7.3	6.4	+ 0.9
1879 . . .	5.6	4.6	+ 1.0	1.3	—	—	+ 1.3	0.7	0.4	+ 0.3	3.6	4.2	— 0.6
1880 . . .	80.8	3.6	+ 77.2	20.3	—	0.2	+ 20.1	42.2	1.7	+ 40.5	18.2	1.7	+ 16.5
1881 . . .	100.0	2.5	+ 97.5	31.0	—	0.1	+ 30.9	61.4	0.7	+ 60.7	7.6	1.7	+ 5.9
1882 . . .	34.4	32.6	+ 1.8	9.4	—	1.6	+ 7.8	20.2	1.2	+ 19.0	4.8	29.8	— 25.0
1883 . . .	17.7	11.6	+ 6.1	3.3	4.1	—	— 0.8	6.3	2.7	+ 3.6	8.1	4.8	+ 3.3
1884 . . .	22.8	41.1	— 18.3	5.0	23.0	0.1	— 18.1	14.0	5.8	+ 8.2	3.8	12.2	— 8.4
1885 . . .	26.7	8.5	+ 18.2	8.8	0.3	0.1	+ 8.4	14.5	5.7	+ 8.8	3.4	2.4	+ 1.0
1886 . . .	20.7	42.9	— 22.2	4.1	26.2	1.2	— 23.3	15.0	10.0	+ 5.0	1.7	5.4	— 3.7
1887 . . .	42.9	9.7	+ 33.2	19.8	2.0	0.2	+ 17.6	17.3	4.0	+ 13.3	5.9	3.6	+ 2.3
1888 . . .	44.0	18.4	+ 25.6	17.2	7.4	2.0	+ 7.8	21.6	5.8	+ 15.8	5.2	3.2	+ 2.0
1889 . . .	10.3	59.9	— 49.6	1.7	49.7	1.1	— 49.1	7.2	5.0	+ 2.2	1.4	4.1	— 2.7
1890 . . .	12.9	17.3	— 4.4	2.4	9.3	0.2	— 7.1	8.6	3.9	+ 4.7	1.9	3.9	— 2.0
1891 . . .	18.2	86.4	— 68.2	2.1	15.1	2.1	— 15.1	13.3	1.4	+ 11.9	2.8	67.7	— 64.9
1892 . . .	49.7	50.2	— 0.5	11.4	—	0.5	+ 10.9	22.9	6.9	+ 16.0	15.4	42.8	— 27.4
1893 . . .	21.2	108.7	— 87.5	3.1	—	0.2	+ 2.9	12.0	6.6	+ 5.4	6.1	101.9	— 95.8
1894 . . .	73.0	77.2	— 4.2	15.0	0.1	0.3	+ 14.6	27.2	12.5	+ 14.7	30.8	64.3	— 33.5
1895 . . .	36.4	66.5	— 30.1	13.2	—	1.1	+ 12.1	12.5	10.3	+ 2.2	10.8	55.1	— 44.4
1896 . . .	33.5	112.4	— 78.9	15.5	25.8	3.3	— 13.6	7.8	5.5	+ 2.3	10.2	77.8	— 67.6
1897 . . .	85.0	40.4	+ 44.6	15.4	14.9	0.6	— 0.1	11.9	1.2	+ 10.7	57.7	23.6	+ 34.1
1898 . . .	120.4	15.5	+ 104.9	31.3	1.5	0.6	+ 29.2	48.5	4.9	+ 43.6	40.6	8.4	+ 32.2
Totals .	936.9	978.0	— 41.9	239.8	179.4	24.9	+ 35.5	416.4	111.5	+ 304.9	280.9	661.9	— 381.0

[1] The export of mint bars does not agree with the report of bars taken for that purpose as exhibited in Table *B*. Errors appear in 1886, 1888, 1889 and 1891.
[2] Includes foreign bullion: 0.1 in 1877, 0.1 in 1880, 0.1 in 1886; total, 0.3.
[3] The classification of coin imports did not begin until 1878. The figures are my estimates, based upon the known deposits and exports of foreign coin.

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five years (Table *E*). As to bullion, there must be added gold recovered by the refineries from imported silver bars deposited (coming chiefly from Mexico). I estimate that, in all, the bullion not registered has averaged $400,000 per annum — say, ten millions for the period. This total of 19.6 millions would serve to reduce the discrepancy; but the conclusion is unavoidable that there was more bullion and foreign coin actually imported than the reports show, and hence less United States coin.

Critical examination in detail of several periods, tracing importations at New York to the New York Assay Office, verifies this beyond doubt. Thus, in 1888, the imports of bullion at this port are reported to have amounted to 15.9 millions; and the deposits of foreign bullion at the Assay Office amounted to 20.9 millions, exclusive of 0.5 million of returned mint bars "redeposited"; while the foreign coin deposits amounted to 10.6 millions, the imports to 17.2 millions, and the exports to 5.8 millions; indicating an excess of 5.5 millions of imported bullion deposited that cannot be accounted for by the excess of coin imports over exports and deposits, which is but 0.8 million.

The customs regulations do not require that importations of gold be accurately described in the invoices, and the description is in fact frequently erroneous; consequently, the custom-house records, while fully reporting the invoiced imports by *total* values, are unavoidably defective respecting the *kinds* of gold brought in. The exports are, generally speaking, much more accurately invoiced, but even in these some errors occur. It is hardly possible that the amount of the discrepancy due to erroneous classification of gold by importers can now be determined accurately; but the evidence points to a difference of from forty to fifty millions, which would require a reduction of the estimates of coin to that extent.

3. For a number of years I have held that much gold passes to and from the Dominion of Canada, without being registered at the custom-houses. This appears to be confirmed by the reports of specie held by the banks and the treasury of the Dominion. Statistics bearing upon the subject are collated in

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D. — THE MOVEMENT TO AND FROM THE DOMINION OF CANADA.

Fiscal Year.	Imports.[1]			Exports.[2]	Gain + or Loss —.	Canadian Reports.[3] *Specie.*			Specie in Canadian Banks.[4]	
	Bullion.	Coin, *including foreign.*	Total.	*Coin and Bullion.*		Exports from.	Imports into.	Gain + or Loss —.	June 30.	Gain + or Loss —.
1873	—	—	—	—	—	—	—	—	—	—
1874	1.0	2.8	3.8	3.6	+ 0.2	1.9	2.5	+ 0.6	—	—
1875	1.4	3.1	4.5	2.1	+ 2.4	1.0	2.2	+ 1.2	—	—
1876	1.1	0.8	1.9	2.1	— 0.2	1.2	2.0	+ 0.8	—	—
1877	0.9	0.8	1.8	1.4	+ 0.4	0.7	1.9	+ 1.2	5.1	—
1878	0.9	1.7	2.6	0.8	+ 1.8	0.1	0.6	+ 0.5	5.5	+ 0.4
1879	1.0	0.7	1.7	1.2	+ 0.5	0.7	1.6	+ 0.9	6.5	+ 1.0
1880	0.9	1.9	2.8	1.0	+ 1.8	1.7	1.2	— 0.5	5.6	— 0.9
1881	0.7	1.7	2.5	0.8	+ 1.7	1.0	0.4	— 0.6	6.5	+ 0.9
1882	0.7	2.2	2.9	1.9	+ 1.0	0.4	1.2	+ 0.8	6.7	+ 0.2
1883	0.6	3.7	4.3	1.6	+ 2.7	0.6	0.9	+ 0.3	6.3	— 0.4
1884	0.6	2.1	2.7	0.7	+ 2.0	2.2	0.7	— 1.5	6.7	+ 0.4
1885	0.6	0.5	1.1	0.6	+ 0.5	2.0	1.6	— 0.4	7.0	+ 0.3
1886	0.7	0.1	0.8	1.1	— 0.3	0.1	2.0	+ 1.9	6.9	— 0.1
1887	0.7	1.0	1.7	—	+ 1.7	—	0.3	+ 0.3	5.9	— 1.0
1888	0.5	0.3	0.8	—	+ 0.8	—	2.0	+ 2.0	6.9	+ 1.0
1889	0.6	0.1	0.7	—	+ 0.7	2.0	0.5	— 1.5	7.3	+ 0.4
1890	0.5	0.1	0.6	—	+ 0.6	2.4	0.9	— 1.5	6.1	— 1.2
1891	0.4	—	0.4	—	+ 0.4	0.1	1.7	+ 1.6	6.7	+ 0.6
1892	0.4	1.5	1.9	1.3	+ 0.6	1.8	1.4	— 0.4	6.5	— 0.2
1893	0.3	4.4	4.7	5.5	— 0.7	4.1	5.9	+ 1.8	6.4	— 0.1
1894	0.4	1.6	2.0	1.8	+ 0.2	1.8	2.3	+ 0.5	7.4	+ 1.0
1895	0.8	3.1	3.9	3.3	+ 0.6	3.8	4.5	+ 0.7	7.5	+ 0.1
1896	1.4	4.8	6.2	5.5	+ 0.7	4.7	0.6	— 4.1	7.9	+ 0.4
1897	3.0	1.3	4.3	3.9	+ 0.4	3.5	4.6	+ 1.1	8.7	+ 0.8
1898	3.9	4.8	8.7	3.4	+ 5.3	4.6	3.9	— 0.7	9.3	+ 0.6
Totals . . .	24.0	45.1	69.3	43.6	+ 25.7	42.4	47.4	+ 5.0	—	+ 4.2

[1] United States gold coin is legal tender in Canada equally with British; hence distinctions have not been carefully drawn there. The movement of "foreign" coin consists entirely of British pieces, and is, in fact, not large; prior to 1894, very small sums only are reported.

[2] No bullion was exported to Canada, and little foreign coin; of the latter, the exports practically offset the imports.

[3] Canadian reports clearly fail to include a large part of the bullion exported to the United States. The fiscal year ends June 30, as with us.

[4] Specie holdings consist largely of United States coin, with very little British or silver coin.

The Canadian Treasury, which in the '80's held but little over 1 million gold, and in 1891, 3.5, now holds upward of 11 millions.

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Table *D*. It must be borne in mind that United States gold coin is, equally with British, legal tender in Canada; and that the specie held is practically all in gold coin, most of it of our own mintage. Very little gold coin reaches Canada except through the United States.

The details indicate that after 1877 (statistics prior to that date are incomplete) the banks there gained 4.2 millions; and I am informed that during the same period the Dominion Treasury gained not less than ten millions; whereas our custom-house returns show a *gain* of coin from Canada of 3.2 millions. Here is a discrepancy of 17.4 millions, indicating a further loss of our own coin.

It will be observed that our reports state that during the five years prior to 1892 no gold was exported to Canada, while our imports from there were 1.5 millions. The Canadian reports show exports to the United States of 5.4 millions and imports from this country of 4.6 millions — a net gain to us of 0.8 million. The Canadian banks lost 0.2 million during the period, but the Dominion Treasury gained. It is a singular coincidence that, for the period from 1878 to 1898 inclusive, the total import of coin, as given in our own reports, agrees with that of the Canadian report of exports to this country, although the details show material differences. Since 1893 our customs regulations have required more general registration and the reports are probably more nearly correct. The bullion movement is almost exclusively from British Columbia and (recently) from the Klondike.

There appears to be no question but that our own estimates of coin must be reduced by reason of the defective report of this movement. The known statistics indicate that the amount of such deduction should be not less than fifteen millions and should probably be as much as eighteen millions.

4. No comprehensive attempt has been made to ascertain the probable amount of gold brought in or taken out by individuals. It was for many years assumed that the gain and the loss through this movement practically offset each other. This was probably true formerly, but in recent years we have,

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in my opinion, suffered a considerable loss. It must also be borne in mind that more foreign than United States coin was brought in by passengers arriving and more of our own coin taken by those departing; so that our estimate of stock would be affected, even if the gross amounts offset each other.

I have prepared a table (*E*) showing the passenger movement, classified, with a tentative estimate of the probable movement of coin. This estimate I present for discussion, without claiming for it even approximate accuracy. I submit, however, that the facts indicate that we have suffered a loss of coin of our own issue.

In explanation of the table I present the following notes:

The Superintendent of Immigration at Castle Garden, New York, reported in 1879 that in the preceding year 79,801 immigrants exchanged $520,000 in foreign coin, approximately $6.50 per capita. Director Burchard estimated that probably the same amount of United States coin was brought by these persons.[1] Since 1880 the character of the immigration has steadily deteriorated, until now more than fifty per cent of those arriving are poor; hence, upon the whole, immigrants bring less money than formerly. Cabin passengers bring more gold per capita than immigrants, and this is principally foreign coin. In years when our net exports of United States coin were light there could not have been much of it available at foreign ports for immigrants.

In the latter half of the quarter century under consideration the foreign coin brought in by passengers has been largely taken out by passengers. In the past decade a very large number of immigrants returned; this is especially true of Italians, who carry their savings home. Coin brokers state that in recent years the demand for foreign coin for outgoing passengers has been in excess of the supply. Prior to 1889 the Assay Office records show quite large deposits of foreign coin by brokers who make the exchange for incoming passengers; in recent years, practically none. Brokers estimate that

[1] Discussed in Finance Report, 1879, p. 197; Production of Gold and Silver, 1885, p. 66.

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E. — The Movement by Individuals.

Fiscal Year.	Passengers Arrived.[1] (*Thousands.*)				Coin Brought. (*Millions.*)		Passengers Departed.[1] (*Thousands.*)			Coin Taken. (*Millions.*)		Gain of Foreign Coin. (*Millions.*)	Gain + or loss − of U. S. Coin. (*Millions.*)
	Immigrants.	Other Aliens.	Americans Returning.	Total.	Foreign.	United States.	Cabin.	Other.	Total.	Foreign.	United States.		
1874 . . .	313	15	48	376	*2.9*	*2.0*	49	82	131	*2.7*	*0.5*	*0.2*	+ *1.5*
1875 . . .	228	17	51	296	*2.5*	*1.5*	50	106	156	*2.4*	*1.1*	*0.1*	+ *0.4*
1876 . . .	170	20	48	238	*2.1*	*1.1*	46	83	129	*2.0*	*1.1*	*0.1*	—
1877 . . .	142	23	41	206	*1.9*	*0.9*	53	76	129	*1.9*	*1.3*	—	− *0.4*
1878 . . .	138	19	42	199	*1.8*	*0.9*	55	61	116	*1.8*	*1.4*	—	− *0.5*
1879 . . .	178	20	55	253	*2.3*	*1.1*	51	51	102	*2.3*	*1.0*	—	+ *0.1*
1880 . . .	457	27	50	534	*4.2*	*2.3*	55	41	96	*3.0*	*0.7*	*1.2*	+ *1.6*
1881 . . .	669	26	49	744	*5.1*	*2.7*	56	48	104	*3.4*	*0.4*	*1.7*	+ *2.3*
1882 . . .	789	27	53	869	*6.2*	*2.5*	69	63	132	*4.3*	*0.8*	*1.9*	+ *1.7*
1883 . . .	603	42	67	712	*5.6*	*2.0*	78	78	156	*4.6*	*1.3*	*1.0*	+ *0.7*
1884 . . .	524	42	83[2]	649	*5.5*	*1.6*	85	101	186	*5.2*	*1.6*	*0.3*	—
1885 . . .	402	42	91[2]	535	*4.8*	*1.2*	88	153	241	*3.8*	*3.6*	*1.0*	− *2.4*
1886 . . .	342	24	78[2]	444	*3.9*	*1.0*	89	113	202	*3.4*	*3.7*	*0.5*	− *2.7*
1887 . . .	501	23	81[2]	605	*5.0*	*1.5*	91	102	193	*4.0*	*2.5*	*1.0*	− *1.0*
1888 . . .	559	21	83[2]	663	*5.4*	*1.7*	97	114	211	*4.8*	*2.2*	*0.6*	− *0.5*
1889 . . .	453	21	72[2]	546	*4.4*	*1.4*	100	140	240	*4.4*	*2.9*	—	− *1.5*
1890 . . .	455	21	88	564	*4.7*	*1.4*	106	132	238	*4.7*	*2.6*	—	− *1.2*
1891 . . .	560	19	89	668	*5.2*	*1.7*	107	139	246	*5.2*	*2.4*	—	− *0.7*
1892 . . .	623	21	92	736	*5.7*	*1.9*	105	151	256	*5.7*	*2.5*	—	− *0.6*
1893 . . .	503	41	90	634	*5.3*	*1.5*	95	122	217	*5.3*	*2.0*	—	− *0.5*
1894 . . .	314	33	67	414	*3.4*	*0.9*	122	191	313	*3.4*	*7.2*	—	− *6.3*
1895 . . .	280	21	101	402	*3.5*	*0.8*	*110*[3]	*217*[3]	*330*[3]	*3.5*	*7.0*	—	− *6.2*
1896 . . .	343	*20*[3]	*90*[3]	*453*[3]	*3.6*	*1.0*	*95*[3]	*180*[3]	*275*[3]	*3.6*	*5.7*	—	− *4.7*
1897 . . .	231	*18*[3]	*85*[3]	*334*[3]	*2.9*	*0.7*	*85*[3]	*190*[3]	*275*[3]	*2.9*	*6.3*	—	− *5.6*
1898 . . .	229	21	94	344	*3.2*	*0.7*	*95*[3]	*159*[3]	*245*[3]	*3.2*	*5.2*	—	− *4.5*
Totals .	10,006	624	1788	12,418	101.1	36.0	2035	2884	4919	91.5	67.0	9.6	− 31.0

[1] From the Reports on Immigration, Bureau of Statistics, Treasury Department.
[2] Chinese returning to the Pacific ports, included in this category in the reports, are by me classed as immigrants in these years.
[3] Estimated, as there are no actual reports.

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cabin passengers who procure coin from them take out approximately $250, which, after allowing for families, means a *per capita* of about $50, while steerage passengers ask for about $50. Incoming cabin passengers exchange about $50 each.

In preparing the details of Table *E*, I divided the quarter century into five periods and assumed:

(*a*) As to immigrants: that they brought during the first period (say) $13 per capita, half in foreign coin; in the second period $11, somewhat more than half foreign; in the third and fourth periods $10, of which two-thirds was foreign; and in the last period $9, of which seventy per cent was foreign.

(*b*) As to incoming cabin passengers: that they brought $14 to $15 per capita, practically all in foreign coin.

(*c*) As to outgoing cabin passengers: that they took during the first period $40 per capita, in the second and third periods $50, in the fourth and fifth periods somewhat less — probably again about $40, the use of drafts having no doubt increased.

(*d*) As to outgoing steerage passengers: that they took at first $15 per capita, the sum gradually increasing until in recent years a per capita of $30 has been reached.

To determine the amount of our own coin taken out, I have assumed that all of the foreign coin brought in by passengers and not deposited in the Assay Office was taken out by passengers, and that the balance of the sums estimated to have been carried out was composed of United States coin.

My conclusion is that we gained somewhat less then ten millions in foreign coin, but lost approximately thirty-one millions of United States coin. Obviously the amount of our coin so disappearing, whether thirty-one millions or less, must be deducted from the estimated stock.

5. The estimate of the use of coin in the arts has been, in my opinion, too low for many of the years considered. In Table *G* I give the principal statistics upon the subject, and submit as reasons for my contention the following points:

Director Burchard made no deductions for coin so used prior to 1881; but Director Kimball, in 1885, deducted thirty millions to cover the period 1874–80, distributing the amount

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F. — The Estimates of Production.

From Reports on Production of Gold and Silver.

Years.	Details. *Calendar Years.* Domestic Deposits.	Add Domestic Exports — Bullion.	Add Exports — Ore.	Add Used in Arts — Bullion.	Deduct Foreign in Deposits.	Mint Bureau Estimate Product. (*Calendar Years.*)[1]	Estimate Product by *Fiscal Years.* (Means of Calendar Years.)[1]
1874	—	—	—	—	—	33.5	33.5
1875	—	—	—	—	—	33.4	33.4
1876	—	—	—	—	—	39.9	39.9
1877	—	—	—	—	—	46.9	46.9
1878	—	—	—	—	—	51.2	51.2
1879	—	—	—	—	—	38.9	38.9
1880	35.4	0.1	—	1.0	0.5	36.0	36.0
1881	34.3	0.2	—	0.5	0.3	34.7	*35.3*
1882	31.4	—	0.2	1.4	0.4	32.5	*33.6*
1883	30.0	—	—	0.8	1.0	30.0	*31.3*
1884	30.8	0.1	—	0.9	0.7	30.8	*30.4*
1885	30.9	0.1	—	1.3	0.5	31.8	*31.3*
1886	33.5	1.2	0.2	0.6	0.5	35.0	*33.4*
1887	32.4	0.1	0.4	1.0	0.9	33.0	*34.0*
1888	30.8	1.9	0.2	1.6	1.3	33.2	*33.1*
1889	32.0	1.1	—	1.0	1.3	32.8	*33.0*
1890	31.2	1.2	0.1	1.2	0.9	32.8	*32.8*
1891	31.5	1.3	0.1	1.4	1.1	33.2	*33.0*
1892	32.4	0.2	0.2	1.2	1.3	33.0	*33.1*
1893	36.1	0.2	0.2	1.6	2.1	36.0	*34.5*
1894	41.0	0.2	0.1	0.9	2.7	39.5	*37.8*
1895	49.7	0.6	0.1	0.9	4.6	46.6	*43.1*
1896	58.1	0.1	0.2	0.6	5.8	53.1	*49.8*
1897	64.3	0.6	0.4	0.5	8.4	57.4	*55.3*
1898	74.5	0.1	0.2	0.7	11.1	64.5	*60.9*
Totals from 1880.	740.3	9.3	2.6	19.1	45.4	725.9	—
Complete.	—	—	—	—	—	*969.7*	*955.5*

Note. — "Domestic deposits" include foreign, reported in column 5. The items in columns 2 and 4 refer to bullion other than mint bars exported and used in the arts.

[1] Reports by calendar years did not begin until 1880. Amounts for 1874 to 1879 are actually for fiscal years, although stated to be for calendar years. (Finance Report, 1879, p. 193, 1898, p. 452.) There are no published production estimates by fiscal years after 1880.

G. — The Industrial Consumption.

From Annual Mint Reports and Reports on Production of Gold and Silver.

Years.	Coin. *Calendar Year.* Census.	Mint Bureau.[2]	*Fiscal Year.* Burchard.	Mint Bureau.	Mint Bar Sales.[1] *Calendar Year.*	*Fiscal Year.*	Total Used. Mint Bureau. *Calendar Year.*[2]	Estimate *Fiscal Year.* (Means of Calendar Years.)	Revised Estimate of Coin Used. *Fiscal Year.*
1874	—	—	—	4.2	—	3.8	—	—	*4.5*
1875	—	—	—	4.3	—	4.4	—	—	*4.7*
1876	—	—	—	4.3	—	3.4	—	—	*4.3*
1877	—	—	—	4.3	—	3.1	—	—	*4.0*
1878	—	—	—	4.3	—	4.1	—	—	*4.2*
1879	—	—	—	4.4	—	3.2	—	—	*4.5*
1880	2.4	3.3	2.5	4.2	*6.5*	4.7	11.0	—	*5.0*
1881	3.3	2.7	3.3	3.3	*8.3*	5.7	11.8	11.4	*5.3*
1882	—	2.5	2.7	2.7	7.2	7.3	10.9	11.4	*5.7*
1883	4.9	4.9	2.5	2.5	6.2	8.3	*14.5*	*12.7*	*6.0*
1884	—	5.0	4.9	4.9	6.3	6.2	14.5	14.5	*5.6*
1885	2.8	3.5	—	5.0	5.9	5.2	11.8	13.2	*4.4*
1886	—	3.5	—	3.5	7.9	7.0	13.1	12.4	*4.5*
1887	—	3.5	—	3.5	9.7	8.9	14.8	13.9	*4.3*
1888	—	3.5	—	3.5	10.1	10.3	16.5	15.7	*4.0*
1889	—	3.5	—	3.5	10.9	10.3	16.7	16.6	*4.0*
1890	—	3.5	—	3.5	12.1	11.6	*17.7*	*17.2*	*3.5*
1891	—	3.5	—	3.5	12.1	12.3	19.7	18.2	*3.5*
1892	—	3.5	—	3.5	12.3	11.9	19.3	19.5	*3.5*
1893	—	1.5	—	3.5	9.5	13.0	13.4	16.4	*3.5*
1894	—	1.5	—	0.5	7.5	6.1	10.7	12.0	*2.0*
1895	—	1.5	—	1.5	10.0	9.0	13.4	12.1	*2.3*
1896	—	1.5	—	1.5	8.4	9.8	11.4	12.4	*2.0*
1897	—	1.5	—	1.5	9.2	7.8	11.9	11.7	*2.5*
1898	—	1.5	—	1.5	10.7	10.2	13.6	12.8	*3.0*
Totals from 1880.	—	55.4	—	—	170.8	—	266.7	—	—
Complete.	—	—	—	82.9	—	187.6	—	—	*100.8*

[1] Reports of bar sales prior to 1885 are imperfect. Items for 1874 to 1879 are from Finance Report, 1879, p. 236.

[2] Finance Report, 1899, p. 234. The totals include old and foreign material, and bullion obtained outside mint offices. For the entire period this amount is 40.5 millions.

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somewhat arbitrarily. Although he thus estimated the annual use for these years at more than four millions, he did not change his predecessor's very low estimates for 1881, 1882 and 1883.

The several censuses taken by the Mint Bureau between 1879 and 1885 give some valuable data.[1] The first and second

	Inquiries.	Replies.	Users.	Amounts Used, (In Millions) Total.	U. S. Coin.
1879	3506	1401	448	5.8	1.5
1880	7000	2800	1381	8.6	2.4
1881	6417	2443	1143	10.1	3.3
1883	8000	5418	2734	14.5	4.9
1885	8054	4380	2707	11.2	2.8

returns were so incomplete that the results may be disregarded; nor is the third much more satisfactory; but that of 1883 showed a reported consumption of 4.9 millions of coin, although many users failed to report. It is not unreasonable to assume that those not reporting were chiefly small jewelers who rarely use bullion. The consumption of coin was, therefore, probably much more than the amount reported. The same criticism applies to the census of 1885.

Since 1882, when the law authorizing the sale of mint bars went into effect, the use of coin has unquestionably diminished; but this diminution has been gradual, whereas the reductions in 1886 and 1893 (see Table *G*) were violent. The industrial use of gold naturally fluctuates with business conditions; so that, while there has been a general falling off in the use of coin, the annual fluctuation has almost certainly corresponded with the fluctuation in bar sales. In the revision of the estimates submitted in Table *G*, I suggest changes in the amounts for the years from 1874 to 1880, to correspond with the sales of bars, but without altering Director Kimball's total of thirty millions for the period; and for subsequent years I have made changes in accordance with the facts stated above.

I am of the opinion that the coin diverted from monetary to industrial use during the quarter century has amounted to from fifteen to eighteen millions more than is estimated; which would necessitate a further reduction in the estimated coin stock.

[1] See Finance Reports; also Production of Gold and Silver, 1885, p. 54.

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The industrial use of bullion has also been somewhat underestimated; but, since this would not affect the correctness of the estimate of the coin stock, it is not necessary to enter into details in this paper.

The discrepancies pointed out in the preceding pages, the amounts of which affect the coin estimates, are as follows:

a.	Error in the original Linderman estimate . . .	29.3 millions
b.	Errors in classifying imports and exports	40.0 to 50.0 "
c.	Loss to Canada, not reported	10.0 " 18.0 "
d.	Loss by passenger movement	20.0 " 31.0 "
e.	Underestimate of industrial use of coin .	15.0 " 18.0 "
	A total of from	114.3 " 146.3 "

Deducting the mean of these sums — say, one hundred and thirty millions — from the gold not accounted for, there remains, as a sum supposed to be "in the hands of the people," about one hundred and forty-four millions — an amount which is much more reasonable than two hundred and seventy-four millions.

The investigation has not proceeded far enough to enable even an approximate revision of the annual estimates of the stock from 1873 to 1897; the amounts given above and the items chargeable to each year must be more definitely determined. The stock on June 30, 1898, may, however, be stated as follows, using the minimum total of differences:

In the Treasury: coin (official)	106.9 millions
" " " bullion (official)	96.7 "
In national banks (official)	266.5 "
In other banks and financial concerns (estimated) .	117.0 "
In the hands of the people, not more than . . .	160.1 "
Total	747.2 "

In the annual report of the Mint Bureau for 1900, Director Roberts, who is making a comprehensive study of the entire subject, presents valuable data for the period since 1898, obtained by means of systematic inquiries during the past year.

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THE CHICAGO BUILDING TRADES DISPUTE.[1] I.

DURING the past year there has been fought out in Chicago a contest between organized capital and labor which will receive a prominent place in the history of trades unionism. It was one of the longest labor conflicts of any magnitude in the building trades that the country has ever known. But it is not so much its duration, or magnitude, or costliness that has given it such importance, as it is the principles involved. The struggle was not between individual employers and the various unions, but between the federated bodies of the building contractors, on the one side, and of the building trades, on the other.

The point at issue was pretty clearly defined from the beginning of the controversy. The contractors were contending for freedom from the tyranny of ignorant and irresponsible labor leadership, and for the abolition of various trade restrictions. To secure this end, they sought to destroy the federation of the unions and to deal with each trade separately; while the unions insisted on the maintenance and recognition of their central body. Other issues were made at the start, but they were gradually reduced to one — the maintenance of the central organization of the unions, the Building Trades Council. The question of hours and wages entered only incidentally, and

[1] In a detailed study of a single labor movement, such as the writer has attempted in the following pages, the greatest dependence must be placed upon the personal statements of those directly engaged, and next to these upon the newspaper accounts of the controversy. Both of these sources of information have been largely used. In this connection thanks are especially due to Professor Graham Taylor, of the Chicago Commons, for opportunity of personal contact with the leaders on both sides, and also to many contractors and union men for the courtesy with which they have furnished information. The trade journals have very generally noticed the more important events in this conflict, and the daily press of Chicago has devoted considerable space to it from the beginning. A short account of the dispute was published in June in the *Journal of Political Economy;* but as it had hardly more than begun at this time, the account was necessarily incomplete.

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never for a moment stood in the way of a settlement. A study of the labor organizations in Chicago is, therefore, necessary to a thorough understanding of the building trades dispute.

I. *The Building Trades Council.*

In Chicago the labor organizations are centralized in three councils — the Chicago Federation of Labor, the Building Material Trades Council and the Building Trades Council. All unions are eligible to membership in the Federation of Labor, while in the other two councils only such trades as are connected with building and building material can be admitted. In the Federation of Labor there are ninety-six different trades affiliated. Many of the same trades which compose the Federation are also members of the other two councils. The Building Material Trades Council, as the name indicates, is composed of trades engaged in the manufacture of building material, such as brickmakers, wood-workers, metal-workers, *etc.* There are in all forty-three unions in this council, representing fifteen trades, and the membership is about 33,000. The Building Trades Council is a compact organization or delegate body, composed of representatives of all the unions in the building trades. About thirty-two trades were affiliated with it, and at the beginning of the dispute it had a membership of from 25,000 to 30,000.

Such "Allied Trades Councils," as they are called, are found at present only in the building and printing trades.[1] The Chicago Building Trades Council was organized on November 22, 1890, and incorporated under the general incorporation law of Illinois, on March 14, 1892. The purpose of the organization may be best seen from the preamble of the constitution:

The object of this Council is to construct a central organization which shall subserve the interests of all the labor organizations engaged in

[1] In the building trades there are a National Building Trades Council, formed in 1898, with a membership of about 250,000, and eleven local councils. *Cf.* Wm. M. Burke, History and Functions of Central Labor Unions (Columbia University Studies in History, Economics and Public Law. Vol. xii, No. 1, 1899), p. 116.

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the erection or alteration of buildings; for the purpose of assisting each other when necessary; thereby removing all unjust or injurious competition, and to secure unity of action for their mutual protection and support.

The objects were further set forth, in the application for a charter, as follows:

To promote the interests and welfare of all trade and labor organizations connected therewith and to extend a helping hand to such other organizations as the said council may direct.

The representation of the several affiliated unions in the council is based on their numerical strength, no trade organization having less than five or more than twenty delegates.[1] The thirty-two unions in the council elect about 200 delegates to the central body which meets once a week. The usual corporate officers are elected, but their duties are largely routine, the real power being vested in the standing committees and in a somewhat anomalous body called the Board of Business Agents, more commonly known as the walking delegates. The standing committees, consisting of five members each, are a credential committee, an organization committee, a grievance committee and a legislative committee.[2] The duty of the organization committee is

to seek out every branch of unorganized industry in the building trades, use every effort to organize them into unions; to instruct and enlighten them on all questions relating to their advancement as working men; and render all assistance necessary to increase the membership of all the different organizations affiliated.

The legislative committee is

to determine what legislation will be best for the interest of the laboring man, draft bills for such legislation, present them to the proper legislators, and report from time to time the best methods of securing the passage of the same.[3]

The *imperium in imperio* is the board of walking delegates, or business agents, which is composed of all the properly

[1] Constitution, Art. iii. [2] *Ibid.*, Art. vii. [3] *Ibid.*, Art. viii.

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elected business agents of the various unions represented in the council. The object of the board is "to unite and associate together all business agents for the purpose of mutual assistance, and to better accomplish the work in all parts of Chicago and Cook county."[1] It meets three times a week, for the purpose of rendering all assistance necessary for the enforcement of the various trade rules and working cards of the council.[2] Every sympathetic strike called must be first brought before the board and sanctioned, although the business agent of any trade can call a strike of men in his own trade without consulting the board. The board of business agents has a set of by-laws governing its work, independent of the council, and could exist, through an understanding among the trades, even if the Building Trades Council were disrupted. Although it is not necessary to be a delegate to the council to entitle one to a seat in the board of business agents, most of the latter are delegates to that body; and when a measure comes up in the central organization, if the business agent of a certain trade speaks either for or against it, he usually carries the entire delegation from his trade with him. Much of the present trouble is laid by the contractors at the door of the board of business agents. While the Building Trades Council is the superior body and is supposed to have jurisdiction over the board of business agents, the conditions are practically reversed; for the smaller body has controlled the council.[3]

The working cards mentioned above are issued quarterly to the members of the affiliated unions, at a price fixed from time to time by the council, and must be carried by all union men. They may be demanded at any time by the business agents or by fellow-workmen.[4] It should be noted that this simple device for revenue — namely, the sale of the working card — is really a system of licensing outside of the law; for it is implied that

[1] By-laws, Art. ii. [2] Constitution, Art. ix.

[3] On August 17 this was partially remedied by giving the executive committee of the Building Trades Council full power to act in all matters pertaining to the calling of strikes and the general conduct of business.

[4] Constitution, Arts. xi and xvi.

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no man shall work at a building trade unless he is in possession of such a card.[1]

The most important sections of the constitution are those relating to strikes and arbitration. Article XII provides that action on agreements or demands for an advance in wages or an abridgment in the hours of labor, if concurred in by two-thirds of all trades present in the council, shall be binding on all. But any trade may act on its own responsibility. Article XIII is sufficiently important to be quoted in full:

> When trouble occurs on any building or job, affecting any trade represented in this Council, it shall be the duty of the business agent to immediately endeavor to settle same with contractor or owner, in accordance with the trade rules and to the satisfaction of the trade involved. Failing in this and a strike being necessary, the business agent shall have power to call a general strike, but before doing so he shall lay the matter before the Council or board of business agents at their next meeting and be governed by their action or decision, which shall be equally binding on all trades in this Council engaged on the job or building. When a trade has no business agent the chairman of the board shall have power to call members of said trade off when strike is ordered. It shall require a majority of the trades voting to order a strike. Unit rule to prevail.

It will be seen from this that it is practically in the power of a majority of the business agents of the trades interested to order a general strike. There is no provision made for a referendum vote on such a question by the total membership, nor is such a vote taken in practice.

It would be interesting to know what proportion of those engaged in the building trades of Chicago are members of the affiliated unions, but figures on that point are confessedly only guesses.[2] Some of the smaller and better organized unions

[1] S. H. Wright, "A Local Phase of Labor Combination" (a paper read before the Chicago Literary Club, November 27, 1899, and privately printed), p. 12.

[2] The following unions, with their approximate memberships, are members of the Building Trades Council: Architectural Iron-workers (300), Bridge and Structural Iron-workers (700), Bricklayers and Stone Masons (5500), Carpenters (5230), Boiler-makers (500), Electrical Mechanics (500), Elevator Constructors (350), Gas-fitters (400), Gas-fixture Hangers (125), Gravel Roofers (250), Hod-carriers and

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practically include all the workers in the respective trades: such are the hoisting engineers, the architectural iron-workers, the stone-cutters, the mosaic tile layers, the plumbers and the gas-fitters. On the other hand, some of the larger trades — as the carpenters, the hod-carriers and the painters — are not so well unionized. Within the city of Chicago the greater part of the workers belong to the unions,[1] but in the suburbs and outside of the city they are not so well organized.

II. *The Contractors Council.*

Corresponding to the Building Trades Council there exists in Chicago a parallel organization of employers, known as the Building Contractors Council.[2] This is a close federation of some fourteen associations of employers, representing about 2500 individuals or firms.[3] A temporary organization had been effected as early as 1894, in the form of a building conference committee, composed of eight or nine trade associations; but the present body dates from April, 1899, when it was organized for the express purpose of opposing the Building

Building Laborers (5200), Hoisting Engineers (160), Lathers (600), Marble-cutters (100), Marble-cutters' Helpers (100), Italian Mosaic Workers (200), Mosaic and Encaustic Tile Layers (100), Mosaic Helpers (100), Mosaic Glass Workers (100), Painters (3500), Plasterers (1200), Plumbers (1400), Paper-hangers (400), Sheet-metal Workers (400), Steam Fitters (600), Junior Steam Fitters (300), Slate and Tile Roofers (150), Stone-cutters (800), Stone Derrickmen (200), Stone Sawyers and Rubbers (275), Stone Carvers (100), Tunnel Miners (300); total, thirty-two unions, with a membership of about 30,000.

[1] Wright, *loc. cit.*, p. 19, estimates eighty per cent. One of the best informed of the labor leaders estimated eighty-five per cent of the carpenters and practically all of the others.

[2] The following associations are members of the Contractors Council: Chicago Masons and Builders, Master Carpenters and Builders, Master Carpenters, Cut Stone Contractors, Master Plumbers, Master Steam Fitters, Master Painters, Master Plasterers, House Draining, Sheet-metal Contractors, Mantel and Tile, Mosaic Tile, Marble Manufacturers and the Iron League.

[3] The discrepancy in numbers of trades represented in the masters' and journeymen's councils is accounted for by the fact that in some cases two or three of the trades are represented by a single masters' association. In half a dozen cases the contractors are not organized at all. These are: architectural iron-workers, bridge and structural iron-workers, electricians, elevator constructors, stone carvers and tunnel miners.

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Trades Council. It was perfected in September of the same year, and is in all essential respects similar to its prototype, being a delegate body with representatives from the various affiliated masters' associations. Organized distinctly as a "war measure," as one of the contractors expressed it, the Contractors Council would probably not have become permanent, as it now threatens to be, had not the struggle with the Building Trades Council provided it with a *raison d'être*.

The purposes and methods of the Contractors Council are plainly avowed in its working rules, among which are found the following:

RULE I. This organization shall be known as "The Building Contractors Council," and its object shall be to foster, protect and promote the welfare and interests of its members, engaged in the construction of buildings in Cook County, Illinois.

RULE VII, *Section 1*. The Council shall have full power to take any action which may be for the best interests of any Association allied with the Council; and, should the condition demand, a lockout may be ordered by the Council to protect its interest.

Section 2. No Association allied with this Council shall hereafter enter into an agreement with their journeymen which shall prohibit a sympathetic lockout.

RULE X. Should any differences arise between employer and employee, whereby the interests of any Association shall be impaired, such Association may make a full statement of the facts, through the secretary, to the Council; and he shall call a meeting of the Council to take active measures to secure and protect the interests and rights of the Association so aggrieved.

In addition to the Contractors Council, there are a number of other organizations of employers, corresponding to the various organizations of the men. Among these are the Association of Material Manufacturers, who furnish all the building supplies to the contractors; the Chicago Architects Business Association; and the organization of the real estate men. While not all of these were direct employers of labor, they sided with the Contractors Council in their contest with the Building Trades Council.

The building trades dispute was a struggle between these

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two federated bodies; and, in tracing the causes that led up to the final outbreak in February, 1900, we shall have to consider in some detail the relations between the opposing organizations. Friction had existed between the employers and the Building Trades Council for some years, and the occurrences which immediately preceded the lockout and strike were not the ultimate causes. In outlining the latter, the blame may be about equally divided between the employers and employees. On one side, the unions claimed that the foundation of the trouble was the refusal on their part to make exclusive agreements with the contractors; while the contractors asserted, on the other hand, that the arrogance and corruption of the Building Trades Council had become unbearable. As there was an element of truth in both charges, we cannot do better than to examine them carefully, and in that way ascertain the causes of discontent.

III. *Exclusive Agreements.*

In the general tendency toward combination, no movement is more significant than the union effected between capital and labor in the Chicago Building Trades by means of the so-called "exclusive agreements." The contractors in a given trade, who were members of the employers' association, made an agreement with the members of the union in that trade, according to which the contractors were to employ only members of the union, while the latter pledged themselves not to work for any outside firms.[1]. In this way it was proposed to secure a practical monopoly in the building trades, as all the contractors and workmen would speedily be compelled to join the respective organizations. Thus it was hoped to secure an advance in wages and an increase in profits. Such agreements were made with the carpenters, bricklayers, steam fitters, plumbers, painters, hod-carriers and some other unions.

The experience of the carpenters will serve to illustrate the

[1] For a denunciation of this system by a trades unionist, see testimony of H. W. Steinbliss, president of the National Building Trades Council, before the Industrial Commission, November 10, 1900.

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purpose of these agreements. Their union had made exclusive agreements with the builders' association in 1896 and 1897; but in 1898 a difficulty arose over a clause in which the union reserved the right to work, if necessary, for firms not members of the association. The builders wished an absolute agreement, according to which the union carpenters should work only for members of their body. When the union remonstrated that not more than one-third of the builders of Chicago were members of the employers' association and that these could not give employment to all the men, they were told that, if they would refuse to work for outside firms, work would soon be found for them. It was thus very evident that it was the purpose of the employers to use this means to force contractors into their association. The carpenters accordingly struck, but by the end of a week the matter was settled by dropping the exclusive clause from the agreement. This new agreement was signed by some 750 firms, of which only about 250 were members of the employers' association; but the following year 1150 firms signed the agreement with the carpenters.

The bricklayers had profited probably more than any other union by its exclusive agreements, of which the one understood to have been made with the Sewer Builders Association will serve as a type.[1] The Contracting Sewer Builders Association, composed of about thirty firms, was originally organized as a surety company for its members, but soon gained control of sewer construction in Chicago and began to advance prices. When a piece of work was advertised, the associated contractors assigned the work to one of their number and then put in seemingly independent bids; and, as the lowest bid was placed much higher than necessary, the surplus profits thus realized were divided among the members of the combination.[2] It was also reported that the contractors had an agreement with the material men, from whom they secured material at lower prices than the independent contractor; while additional

[1] Chicago *Tribune*, November 18 and 19.

[2] Compare the methods of the plumbers' "trust," *infra*, p. 133.

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strength was given them by the sewer inspectors, who were alleged to have harassed contractors not members of the association, by condemning bricks, cement and other material. Competition was most effectually stifled, however, by an agreement made by the Sewer Builders Association with the Bricklayers and Stone Masons Union, on April 1, 1899, and renewed April 1, 1900. The agreement was absolute, the bricklayers binding themselves to work for none but members of the Sewer Builders Association, an infraction of this rule being punishable by a fine of from $5 to $25 and suspension from the union. In return, an eight-hour day was provided for, and a wage scale of $1 an hour; only union men were to be employed by the contractors, and all inspectors were to be members of the bricklayers' union. While this agreement served to build up in the sewer construction business a strong combination among the contractors, it also secured to the workmen's union a monopoly of the labor market within the combination.[1]

Other unions had given up the exclusive agreements with the employers, because, as one of the men said, "they got the worst of it." The one exception to this rule was the Hod-carriers and Building Laborers Union. This was composed of the most unskilled labor in any branch of the building trades, and the members were exposed more than any other union to the pressure of outside competition. Accordingly, an exclusive agreement with their employers was a decided advantage to them, and they were unwilling to give up the arrangement. Finally, however, the Building Trades Council passed a resolution that individual unions should not be allowed to make exclusive agreements with employers' associations, and the laborers were forced to break this arrangement. Up to this time the council had permitted each trade to make its own agreements. Now, however, it was felt that the laborers must conform to the position of the other unions, and that no more

[1] Another striking example of the successful exclusive agreement was that between the Bricklayers and Stone Masons Union, and the Chicago Mason and Builders Association. It continued some four or five years, during which time the membership of the Builders Association increased from ninety to five hundred. — *The Bricklayer and Mason* (New York), April, 1900, p. 4.

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exclusive agreements should be entered into. It was this action on the part of the Building Trades Council, the union men claimed, that embittered the contractors against it and made them determined to destroy it; for they thought that they might then be able to force the individual unions to help them build up a monopoly in the building trades.[1]

IV. *Causes of the Dispute.*

That the purpose of the Building Trades Council was to control and, so far as possible, to monopolize the labor market in the building trades industry is obvious. In this it did not differ from the component unions. But it is evident that the employers had encouraged them in this as long as they shared in the results. The Building Trades Council, however, considered itself strong enough to assert its power without the coöperation of the employers' associations. There is no doubt that for the year preceding the lockout and strike of February, 1900, the utmost friction had existed between the two parties, largely owing to the overbearing attitude of the labor leaders.

[1] The following statements of prominent labor leaders will show what their belief in the matter was:

"They are not making this fight on account of grievances against the unions, but for aggressively selfish purposes. They aim to crush the Building Trades Council and to establish absolute agreements with the unions under which union workmen will take employment only from them." — E. A. Davis, Secretary Building Trades Council.

"The main object of the contractors is to secure absolute agreements by which union workmen will work only for members of the contracting organizations. They refuse to deal with the unions except through their own council." — John A. Long, President Board of Business Agents and of Gas Fitters Union.

"The contractors had absolutely no complaint against the architectural iron-workers. They shut us out simply because we belonged to the Building Trades Council. We refuse to work solely for members of their organization, and will work for any employer who abides by our rules. This is the condition which the contractors want to change for their own advantage and for the disadvantage of laborers and citizens generally." — Thomas Lynch, President Architectural Iron Workers Union.

"The contractors are responsible for this fight. They are trying to force us to join them in crushing out contractors not members of their council, and in gouging the public." — John Clinch, President Plumbers Union.

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They were "glutted with success," as one of the laboring men put it, and would make no concessions to the contractors. By petty and often arbitrary demands they interfered constantly in the construction of buildings, until the employers were goaded to the point of rebellion. "The time had come," said one of the contractors, "when one might as well go out of the business as submit to the demands of the Building Trades Council." This feeling culminated in the lockout and consequent strikes of February 5.

There were, however, other causes which led the contractors to seize this particular time for the struggle with the council, among the chief of which may be mentioned the demoralized state of the building industry in Chicago and the high prices that obtained for all building materials. At the time of the World's Fair in 1893, building had been enormously stimulated in Chicago, and the overproduction of that period had continued for the succeeding six years. Both contractors and real estate men insisted that under existing conditions there was no money in buildings. The upward movement in prices, too, had particularly affected iron and steel products, the prices of which had become practically prohibitive.[1] In addition to this, there was the uncertainty and demoralization of a presidential year, which always affects the building trades disastrously. As a last straw, there should be taken into account a concerted demand about the beginning of the year,

[1] The following typical prices show the great advance in building materials. See an article by S. V. Lindholm, "The Building Trades Conflict in Chicago," in the *Journal of Political Economy*, June, 1900, p. 341.

	Prices of Structural Iron.		
	Prices in 1898.	Prices in 1899.	Increase (per cent)
Beams 18 inches and over	$1.55	$2.50	161
Beams 15 inches and under	1.45	2.40	165
Zees	1.45	2.40	165
Angles over 6 inches × 6 inches	1.55	2.50	161
Angles under 6 inches × 6 inches	1.45	2.40	165
Plates	1.90	3.15	165

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on the part of most of the unions in the building trades, for higher wages.[1]

V. *Relations between the Councils.*

Such were the causes of the dispute. To make the narrative of the controversy a connected one, however, we must go back and review the relations between the Building Contractors Council and the Building Trades Council from the previous summer. On August 30, 1899, the Building Contractors Council appointed a committee of five and requested a conference with a similar committee from the Building Trades Council, "to correct existing abuses and to arrange a plan whereby future strife may be avoided."[2] The committees held a meeting at which the contractors stated the conditions under which they proposed to work in the future. No action was taken by the Building Trades Council; and accordingly, on November 17, the Building Contractors Council passed a series of resolutions, stating that, while there was no disposition to question present wages or hours or the principle of legitimate unionism, it would not, after January, 1900, recognize (1) any limitation as to the amount of work a man shall perform during his working day; (2) any restriction of the use of machinery; (3) restriction of the use of any manufactured article, except prison made; (4) the right of any person to interfere with the workmen during working hours; (5) the right of the unions to prohibit the employment of apprentices; (6) the sympathetic strike.

[1] At the end of December, 1899, the carpenters' unions had demanded a new wage scale of 50 cents an hour, an increase of 7 1-2 cents over the existing rate, to begin on April 1. Early in January the marble-workers struck for uniform payment of $3.50 a day to all cutters and setters, whether working in factories or outside, an increase of about 10 cents an hour; they also demanded that non-union cut blocks should not be used in the construction of buildings. The teamsters were granted an advance of 25 cents a day; the electricians, of 3 7-8 cents an hour; the stone-cutters, of 16 2-3 cents an hour. The Hod-carriers and Building Laborers Union demanded a raise of 5 cents an hour, to become effective on March 1; and the list might be extended.

[2] Letter of Executive Committee of Building Contractors Council to Mayor Harrison, February 24, 1900.

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These six points, which were later expanded into eight, were maintained as their "cardinal principles" by the contractors in all their subsequent manifestoes. No notice was taken of these resolutions by the Building Trades Council. Before the time came, however, when these rules were to be enforced, another attempt at conference was made, under the leadership of Mr. Martin B. Madden. A committee of seven was appointed by each of the councils and, after a number of amicable meetings, an agreement was reached on December 29. This was known as the "Madden agreement" and covered the six points raised by the contractors in their resolutions of November 17.[1]

[1] The following is the Madden agreement of December 30, 1899, "for the purpose of regulating and adjusting differences that may arise in the future between the Building Contractors Council and the Building Trades Council":

ARTICLES OF AGREEMENT.

Section 1. Each council shall elect a board of arbitration of five members, who shall jointly constitute a final board of arbiters.

Section 2. The right of a steward on the job to protect the journeymen's interest is recognized. All complaints, disputes or violations of joint agreements by employer or employee to be adjusted by the contractor or his agent and the steward or business agent of the Building Trades Council or affiliated unions, who shall be allowed to visit all jobs during working hours to interview the steward or workmen, but will not in any way interfere with their work. In case of failure to adjust any complaint, dispute or violation of agreements, the subject matter shall at once be referred to the standing arbitration committee of five from the employers and five from the employees representing the trade interested, who shall immediately decide the matter at issue. [In] Any case at issue that cannot be adjusted by the trade directly interested, appeal shall immediately be taken to the final board of arbitration, as provided in section 1, to adjust all matters referred to it by any of the associations affiliated or may become affiliated [*sic*] with party to this agreement, and their decision shall be final.

No strike or lockout shall be called or authorized by either party to this agreement or by any member or association affiliated or by their business agents, by reason of any dispute arising between the unions represented in either association. Work shall continue uninterrupted while any case is pending before the final board of arbitration.

Section 3. No limitation as to the amount of work a man shall perform during his working day.

Section 4. Question of machinery referred to the different organizations of employers and employees. In the event of failure to agree, either party shall have the right of appeal to the final board of arbitration.

Section 5. Each established employer in each respective trade shall be allowed

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It was signed by all the members of the committee from the Contractors Council and was ratified by the council the following day. Of the committee from the Trades Council only four members signed it; and when it was referred by them to the council, no further action was taken on it. On January 17 the Building Contractors Council notified the secretary of the Building Trades Council that they expected a definite answer as to the intentions of the Trades Council, not later than January 27. Nothing having been heard by that time, the contractors prepared a new set of rules to govern all work and fixed a scale of wages to go into effect on February 5. The attempt to enforce these rules was the immediate cause of the dispute and resulted soon in tying up the whole building industry of Chicago.

There is no doubt that the Building Trades Council made a great mistake in ignoring the Madden agreement as they did, especially after it had been drawn up and adopted by their own committee. Mr. E. A. Davis, secretary of the council, later [1] attempted to explain their failure to ratify the agreement by

to have at least one apprentice, whose time of apprenticeship expires before the age of twenty-two years.

Section 6. No restriction on the use of building material other than cut and sawed stone, granite, exterior marble work, common brick, wood mill work (except mantels and movable furniture), and prison-made material.

Section 7. It remains optional with contractor as to number of men he shall employ.

Section 8. No rules other than those of this agreement to be made by either side, unless authorized by the final board of arbitration.

Section 9. Rules to be drawn up by both sides at once.

Section 10. Members of the Building Contractors Council to receive as favorable treatment from the Building Trades Council as other contractors.

Section 11. It is agreed that as long as this contract is faithfully kept by the Building Trades Council and its affiliated unions, the members of the associations affiliated with the Building Contractors Council in the erection of buildings will employ at the buildings in Cook County none but the workmen carrying Building Trade Council working cards in good standing in their respective callings, except where it may be otherwise agreed by the joint arbitration committee of the trade involved.

The text of this agreement is printed in *Carpentry and Building* (New York), February, 1900, p. 56. The above was copied from the original document, *verbatim et literatim*.

[1] In an interview in Chicago *Times-Herald*, March 9.

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saying that the matter had been referred to the different unions for a referendum vote, and that before such a vote could be taken the contractors issued their ultimatum in the form of a new set of rules. As a matter of fact, the matter had not been so referred; and the writer has been assured by several prominent labor men that there was no intention on the part of the unions of ratifying the agreement. This treatment undoubtedly angered the contractors and rendered them both firm and united in their subsequent action.

The notice of January 29, issued by the Contractors Council, which was to go into effect on February 5, read as follows:

The unions affiliated with the Building Trades Council having absolutely ignored the joint arbitration agreement and failed to ratify the same, we hereby make the following rules . . . and you will govern yourselves accordingly: no limitation as to the amount of work a man shall perform in a day; no restriction as to the use of machinery; no restriction as to union or non-union made material; the foreman shall be the agent of the contractor; the right to employ and discharge whomever he may choose is reserved to the employer; eight hours shall constitute a day's work; the prevailing rate of wages in all trades; time and one-half will be allowed for all over time; double time for Sundays and holidays.[1]

The position taken by the Contractors Council was endorsed the day following by the general contractors of Chicago, including many not members of the council. To give effect to their action, the contractors notified members of the Plumbers, the Hod-carriers and Building Laborers and the Hoisting Engineers Unions that the rules of the Building Contractors Council would be enforced from February 5, and that the unions' rules which were objected to would be disregarded. The master plumbers led the movement and notified their employees that they must sign individual contracts. The men, with a few exceptions, refusing to do this, they were locked out.

The attitude of the Building Trades Council was at first very pacific. President Edward Carroll stated, on February 4, that

[1] It will be seen that the position of the contractors, as stated here, was not as liberal as that of the Madden agreement. After the refusal of the unions to ratify that agreement they would at no time consent to as great concessions.

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the Council had not ordered a strike and did not intend to do so. The affiliated unions know their duty as union men and are expected to act accordingly.

From the very beginning of the dispute, the unions composing the Building Trades Council insisted that the contractors were wholly to blame for the trouble; since, by instituting new rules, they had violated agreements which would not have expired for a month or so.[1] On February 6, however, the Hod-carriers and Building Laborers Union, the first organization to take official action, instructed its representatives to call strikes on every building in the city where men were working under the new rules. The movement did not take on large proportions until Saturday, February 10, when the carpenters were involved in the struggle. For several years they had been working only half of Saturday; but under the new rules of the Building Contractors Association, which were endorsed by the carpenter contractors, they would be compelled to work all of Saturday. Instructions were therefore given by the district council of the carpenters' union that no member of the organization would be permitted to violate the old rule. Accordingly, at noon on Saturday, February 10, building operations in the city were practically suspended, when the carpenters refused to work after the noon hour. The number of men rendered idle was variously estimated at that time from 3000, according to the labor men, to 7000, according to the contractors. This number continued to grow steadily during the next few weeks, as the workmen were called out on sympathetic strike by the affiliated unions or were locked out by the contractors, until about 50,000 men were affected.

Throughout the entire time of the dispute there seemed to be doubt as to whether it should be called a "strike" or a "lockout." The choice of a name was usually decided by the desire to favor one side or the other, the contractors claiming that the men had struck, while the unions asserted that there

[1] Agreements were in force between the employers and the individual unions, some expiring March 1, others May 1 and others not till 1901.

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was no strike, but that they had been locked out. The responsibility is not, however, to be fixed by the choice of a name.[1] In some cases the contractors took the initiative, and in others the unions. Yet it is but fair to insist that the posting of the new rules by the contractors was in most cases tantamount to a lockout, as they knew that the men would be compelled to cease work by the rules of their unions; and even in a case where the contractor's rules did not conflict with the rules or agreements of the union, the men could not remain at work if non-union men were put on the building or if, as was generally done, a sympathetic strike was ordered in accordance with the constitution of the Building Trades Council.

VI. *Position of the Material Men.*

The mills and factories furnishing building materials were soon involved in the building trades dispute; and in this case the initiative seems to have been taken by the unions, in calling sympathetic strikes among the wood-workers and others as early as February 19.[2] The manufacturers and mill owners were really in a difficult position. On the one hand, they had made agreements with the building contractors, according to which the contractors were to buy their materials only of firms in the combination, and in return were to receive lower prices. Thus, the brick manufacturers in the "Brick Combine" and the Masons and Builders Association are reported to have had an agreement, which was to continue to April 1, by which members of the latter were able to buy bricks at one dollar a thousand less than was charged to outsiders, lime fifteen cents a barrel cheaper, and vent linings, copings, *etc.*, at a

[1] It is almost impossible at times to distinguish in practice between a lockout and a strike, and the distinction was given up in the English labor reports as long ago as 1894, the generic name "dispute" being used for all forced cessations of work. In the American reports the attempt is still made to distinguish the two kinds of dispute.

[2] On February 26 the Material Trades Council called a strike in two brickyards which furnished material to buildings where non-union labor was employed. — Chicago *Record*, February 27.

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proportionate rate. In addition to this, the association was to be paid a bonus of one dollar a thousand for all bricks sold to builders not members of the association.[1] A part of this sum was currently reported to have been paid into the treasury of the Contractors Council. On the other hand, the material men had entered into agreements with the labor unions not to furnish material for jobs where non-union labor was employed. This worked very well until the February lockout and strike, when the contractors began to employ non-union labor. The material men were then placed in a predicament. If they refused to furnish the contractors material, the former could go outside the city to make their purchases; if they furnished the material, they would offend against their agreements with the unions and a strike would probably result.[2]

On March 1 the mill owners and building-supply men held a meeting and took a definite position, by which they threw in their lot with the Building Contractors Council. They decided not to furnish supplies to contractors who were not members of this body. If this plan were carried out, no contractor could break the tie-up in the building industry by hiring members of the Building Trades Council under the old rules, until the united contractors permitted it. The contractors could then gradually resume building with non-union labor and have material supplied only to jobs designated by them. This plan seems to have been agreed to by the mill owners and a majority of the material men — namely, those dealing in rubble-stone, crushed stone, lime, cement, copings and pressed brick. The brick manufacturers, however, refused thus to restrict their sales and declared in favor of an open market, selling to any one who wished to buy. A few days later the other manufacturers of building material took a new stand, and decided

[1] Mr. Falkenau, Chairman of the Press Committee of the Contractors Council, while denying that there was any discrimination, admitted a difference in prices. This he explained by saying it was due to the discount the large firms received for wholesale orders and for cash payment. — Chicago *Times-Herald*, May 14.

[2] As early as February 9 the Brickmakers Union threatened to call strikes in all brickyards, unless the agreements with them were maintained, by which brick could be sold only to employers of union labor. — Chicago *Record*, February 10.

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that, after filling existing contracts, they would not undertake any new contracts until the difficulties in the building trades were settled, believing that the dispute could be settled most quickly if material were refused to every one.

This position was consistently maintained by most of the material men, and their plants were either closed entirely or kept running to supply only the immediate demands of the trade.[1] The union men claimed, however, that there was a secret agreement between the contractors and the material men, according to which supplies were refused only to employers of union labor, and that the announced policy was only a cover for discriminations against contractors outside of the council. Charges against the Masons and Builders Association and some ten or twelve firms, mostly plumbers, were taken before the May grand jury, where the material men were accused of boycotting and conspiracy. The charges could not be substantiated, however, and were dismissed for lack of evidence. That some such agreement was actually made seems not open to doubt. One of the leading contractors, a member of the Contractors Council, admitted to the writer that such a combination existed among the plumbers, and the evidence seemed to show that similar arrangements had been made by other material men.

As the plumbers' "trust" has come in for a large share of public attention, it will be instructive to examine its methods. The following is probably a fairly accurate account.[2] The association of master plumbers, who control from sixty-five to seventy per cent of the plumbing work of Chicago, employed a system that raised the price of all the work they secured. If eight or ten of them were invited to bid on a piece of work, they would do so; but, instead of submitting their bids at once to the contractor, they would meet and in the presence of one another would open their bids. Then the contract

[1] Between 10,000 and 20,000 men were thrown out of employment in the building material trades during the dispute.

[2] Testimony of J. S. Kelly, President of the United Association of Journeymen Plumbers and Gas Fitters, before the Industrial Commission, October 11, 1900.

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would be awarded to the lowest bidder, who would add to his bid two per cent of its amount for each of the other bidders. Each of the unsuccessful bidders would then increase his bid an equal amount, and the amended bids would be submitted to the contractor. It is said that several firms were dismissed from the master plumbers' association because of their refusal to pay over the two per cent to the unsuccessful bidders, and that in each case the journeymen plumbers' union, which had an agreement with the master plumbers, was called on to forbid its men from working for the dismissed member of the masters' association.

VII. *Contentions of the Two Councils.*

To ascertain exactly what the truth is in a complicated quarrel, where every issue is controverted and every statement is a matter of dispute, is not easy. But we can probably not do better at this point than to examine the claims of the two contending parties, as set forth in their published statements. Both the contractors and the labor unions evidently thought it necessary to justify their position before the public, and circulars were early drawn up by both sides explaining the situation. The Building Trades Council was first in the field with a statement[1] of their position. The most important section of the paper was the following:

> We are willing to furnish our services to whomsoever needs them in the erection and construction of buildings, irrespective of whether they are members of contractors' associations or not, the only stipulation we ask being that *union conditions* shall prevail on the building.

There followed then an indictment of the Building Contractors Council, on the ground that, though it claimed to be working for the elimination of the Building Trades Council, it fined any of its members for making individual agreements with a trades union. Finally, as regards arbitration, the labor men insisted that they had never refused to arbitrate; that most

[1] See Chicago papers of February 8.

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of the agreements they had made with the contractors provided for arbitration; and that they intended to live up to these agreements.

In conclusion [said the Trades Council] we mean to carry out the agreements entered into by our unions in good faith; and, if work is stopped and the building industry paralyzed, it will be no fault of ours. The blame rests entirely on the contractors.

An answer to this statement was soon prepared by the Building Contractors Council and given to the public.[1] The contractors seized upon the paragraph in which "union conditions" were demanded and proceeded to enumerate and criticise seven or eight demands which were insisted on by some of the unions and which they were unwilling to grant. It will be profitable to consider these in detail; for the contractors based their case largely on the charges which they made in this connection; and in these conditions is to be found, if at all, the justification for the contractors' position.

1. The first "union condition" to which the contractors objected was "the limitation of the work a man is permitted to perform in a day." Such a restriction existed in the rules of the lathers, gas fitters, steam fitters, plasterers and plumbers. The lathers limited a day's work to twenty-five bundles of lath, for which they received $3; they had formerly done thirty-five bundles for a daily wage of $1.75.[2] Plasterers were limited to thirty square yards a day; the steam fitters were permitted to lay only ninety feet of steam pipe per day; but the plumbers had the most objectionable rules and restricted materially the amount of work that could be done in a day.[3] These and similar

[1] See Chicago papers of February 11.

[2] One of the labor men stated to the writer that they often finished by four o'clock and then "rushed the can" for an hour.

[3] The rules of the plumbers limiting the amount of work were as follows:

RULE I. When working on lead work, eight wiped joints shall be considered a day's work.

RULE II. When working on iron pipe, the measuring, cutting, threading and placing in position of fifteen threads of one inch or under shall be considered a day's work.

RULE IV. When finishing on flats or apartments, hotel or office buildings, one

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rules[1] of the unions were defended by them, on the ground that they were necessary to secure careful work and to prevent the "rusher" from setting the pace for a fair day's work. There seems to be no doubt, however, that all legitimate limitations had been exceeded, and that in all cases the so-called day's work could have been performed by the average workman in a few hours. In justice to the unions, it may be said that most of them admitted the unfairness of these restrictions. Thus, Mr. John Clinch, President of the Plumbers Union, conceded in an interview that "the rules were made hastily, and they may be defective." It is worthy of note, too, that the Journeyman Plumbers' Union a little later[2] adopted a new form of agreement, leaving out the clause that fixed the maximum amount of work and providing for a permanent board of arbitration.

2. "Another 'union condition' is the delay caused by the quarrels between the unions as to which shall perform a specific piece of work." Instances were cited where work had been delayed for weeks, while the unions decided which should perform certain tasks. Such disputes occurred between the freestone cutters and the granite cutters, between the ornamental iron-workers and the structural iron-workers, between the steam fitters and the plumbers, and in other cases, in some of which the work was done twice and twice paid for and in all was delayed. On this count there is no doubt that the contractors had a just grievance. In many instances the Building Trades Council had not paid sufficient respect to their interests in deciding these disputes.

3. "The union shall dictate to the contractor how many men he shall employ on a specified building, and that he shall

fixture shall be considered an average day's work, except laundry tubs, when each apartment shall constitute a fixture.

RULE XI. Any member violating any of these rules shall be fined one day's pay for the first offence, two days' pay for the second offence, and if he persist in the violation the association shall deal with him as it sees fit.

[1] One of the rules of the Carpenters Union provides that "any member guilty of excessive work or rushing on any job shall be reported and shall be subject to a fine of $5."

[2] May 2.

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not discharge a man to whom they wish to give work, even if he is a lazy and incompetent workman."[1] There are evidently two counts under this charge. As to the second, the right of the contractor to hire and discharge his own laborers was never interfered with by the Building Trades Council, except where the contractor failed to live up to his written agreement with the union, or where he had employed non-union men or where he was not paying union wages. Certainly the contractors could not fairly complain on this score if, after having made exclusive agreements with the unions to employ only union men, the latter should attempt to enforce this principle without such agreements. But as to the first count, that the union dictated how many men in a given trade should be on a building, the contractor had just grounds for complaint. Such a rule was made, for instance, by the lathers, according to which six lathers must be employed on every job. On a small building there was caused by this an unnecessary cost for scaffolding, carting, *etc.*, if all the men were to be kept busy; and it was often the case that in interior work, as on stairs, it was physically impossible for six men to work at the same time. Such rules had the same purpose as those limiting the day's work, but are even less defensible.

4. "A fourth of these 'union conditions' is that the union shall dictate to the investor where he shall buy his building materials and by whom they shall be finished." In answer to this charge, the officers of the unions insisted that they had always been willing to work with union-made material, and had only objected to the introduction of prison-made materials or those produced under non-union conditions. This, however, was not the whole truth; for they had objected to using material made by non-union men, even if under union conditions in other respects, and had often insisted that work should not be done outside of Chicago. Thus, marble or granite to be used on buildings must be cut and dressed, as far as possible, in the city by members of the local union. Whether these demands were

[1] These charges are cleverly, if ungrammatically, worded, and, while generally true, are not all the truth. They must, therefore, be carefully read.

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right or wrong, the contractors exposed themselves fairly to the charge of inconsistency in complaining of the action of the unions on this score. As a student of the matter has said:

> While vigorously, and in part very justly, protesting against the interference of organized labor with the liberty of its contractors to purchase material from whom they pleased, they countenanced and abetted, if they did not organize, a boycott of building material producers against the employers of union labor allied with the Building Trades Council.[1]

The unions had been educated up to this position, both by the combination between contractors and material men and by the system of exclusive agreements into which they had entered with the contractors and the manufacturers.[2] The union men might justly have replied to this charge with, *Tu quoque*. There is no doubt, however, that the attempts to enforce such rules and thereby to give assistance to their comrades in the material trades were the cause of a great many strikes and of a great deal of annoyance and loss. Probably one-half of all the strikes that occurred in the building industry in Chicago during the year 1899 were caused by the use of non-union-made material.[3]

5. "It is a 'union condition' that industry is to be blocked by the prohibition of machinery, as in the case of the stone-cutters, who have shut down all the planers in Chicago; and the carpenters, who will not allow a patent miter-box to be used."[4] While not defending this position in general, the union men retorted that the contractors themselves had been

[1] Professor Graham Taylor, "Between the Lines in Chicago's Industrial Civil War," in *The Commons*, April 30, 1900.

[2] A striking instance of the willingness of the contractors to do on occasion what they condemned in the unions occurred in connection with the Federal Post Office building. The specifications of this building called for granite, but the Chicago contractors wished to have this changed to native stone. They therefore sent a delegation of labor men to Washington to lobby for this purpose. With the labor men they used the argument that such a change in the material would provide them with additional work. Secretary Gage did not permit the change to be made.

[3] Statement made to the writer by one of the labor leaders.

[4] The trade rule of the Carpenters Union on this point is as follows: "Any member who furnishes a patent miter-box shall be fined $5."

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the first to advocate the prohibition of machinery, and pointed also to the case of the stone-cutters. Of the eighty stone-cutting firms in Chicago only twenty had machinery;[1] accordingly, when the other firms made their agreements with the union, they had insisted on an anti-machinery clause. Now, however, claimed the union men, they wished to mislead the public by charging this against the union, whereas they were themselves originally responsible for such rules. But, even in these cases, the labor men in general opposed such restrictions and stated their willingness to submit them to arbitration.

6. "It is a 'union condition' that in many cases the growing youth is not permitted to learn a trade." The limitation of apprentices is a position which the skilled trades unionists have long held, but which is gradually being given up as indefensible.[2] It is defended, however, on the ground that the unrestricted employment of apprentices amounts in many cases to the employment of underpaid child labor. Most of the agreements existing in the skilled trades recognize the principle by limiting in some way the number of apprentices;[3] and, in general, it may be said that the contractors were not vitally concerned in the abrogation of this rule where it existed.[4] On the other hand, there is no doubt that the unions had frequently abused this condition in their endeavors to secure as complete a monopoly of the labor market as possible.[5]

7. "The unparalleled power of the walking delegate, armed with the sympathetic strike, constitutes another 'union

[1] These figures do not agree with those given by Lindholm, *loc. cit.*, p. 338.

[2] *Cf.* an article by Miss Jane Addams on "Trades Unions and Public Duty," in *American Journal of Sociology*, July, 1899, p. 448 ff.

[3] For example, the agreement made between the National Metal Trades Association and the International Association of Machinists, May 18, 1900. See article by the writer in the *Yale Review*, November, 1900.

[4] In their statement of principles of April 30 and June 12 they explained their demand on this point as follows: "This means that in each trade a fair agreement as to the number of apprentices shall be entered into." *Cf.* also sec. 5 of the Madden agreement.

[5] See article by George C. Sikes: "The Apprentice System in the Building Trades," in *Journal of Political Economy*, June, 1894.

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condition.'" In answer to this charge of the contractors, Mr. E. A. Davis, Secretary of the Building Trades Council, said[1]:

> They have no right to attack the walking delegate, as he is merely the servant of his organization. Each such labor representative has been elected by a majority vote of his union. To oppose him is to oppose the opinions and desires of a majority of the members of the union. He does work which the members cannot possibly do for themselves, and in nearly every case he has the full support of his union in his actions, though of course now and then he makes mistakes.

For a considerable period previous to the lockout and strike of February 5, the attitude of the unions toward the contractors had been extremely dictatorial and exasperating, as has already been pointed out. The walking delegates had often used their power mercilessly to bring the employers to terms, and resorted to the strike, actual or threatened, on the slightest provocation. Yet the real fight of the contractors was not so much against the walking delegate, *per se*, as against the sympathetic strike with which the Building Trades Council enforced its demands. Although there has been a steady decline in the number of sympathetic strikes in the country at large within the last decade,[2] the resort to this measure had been frequent in the building trades in Chicago. The unions having delegated the power to call such strikes to the Building Trades Council,[3] there was no certainty that an agreement made with an individual union, though for a specific period, would not be broken at any time.[4] In order to eliminate the sympathetic strike, the contractors therefore demanded the abolition of the Building Trades Council.

As the smoke of charges and countercharges cleared away, it became more and more evident that the real point at issue was not any disagreement as to wages or hours, but the

[1] In an interview in the Chicago *Times-Herald*, March 9.

[2] Fred S. Hall: Sympathetic Strikes and Sympathetic Lockouts (Columbia University Studies in History, Economics and Public Law, 1898), p. 38.

[3] *Ante*, p. 117–118.

[4] Thus, the articles of agreement of the carpenters' executive council of Chicago, Art. 10, provide: "A sympathetic strike when ordered to protect the union principles herein laid down shall not be a violation of this agreement."

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existence of the Building Trades Council itself. With the utmost frankness the contractors, through the published statements of their press committee[1] or the statements of the chairman of that committee, Mr. Victor Falkenau, repeatedly admitted that this was their object. At the very beginning of the dispute they defined their position as follows:

> Let it not be understood that the Contractors' Council in the present struggle with the men who dominate the Building Trades Council have any war with union labor, now or at any later time. Above all things, they wish to make very clear their position on that point. The men in the Contractors' Council believe in labor unions. Both for the benefit of the mechanic and for the employer as well, such organizations, unabused, are of positive and lasting benefit. But they have come to the place in the present instance where no man is assured of life, liberty or the pursuit of happiness unless the domination of the Building Trades Council shall cease. . . . Between the Chicago Building Trades Council and the Contractors' Council there can be no compromise.[2]

A week later this was followed by another statement, in which it was said:

> There is not the slightest desire on the part of any one to discourage membership in the unions. But there is a definite and unconquerable purpose of fighting the Building Trades Council to the death.[3]

This challenge was accepted by the unions, and the question at issue resolved itself into the dissolution of the Building Trades Council. The unions refused to give up their central organization, and the contractors refused to treat with them until they did. Other issues were raised and discussed from time to time, but this remained the keynote of the struggle until the end.

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OBERLIN COLLEGE.

[1] This press committee was finally dispensed with, July 27, on the ground that it was too talkative.

[2] Statement of the Building Contractors Council. See Chicago papers of February 10.

[3] February 17.

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REVIEWS.

The United States in the Orient: the Nature of the Economic Problem. By CHARLES A. CONANT. Boston and New York, Houghton, Mifflin & Co., 1900. — 237 pp.

America's Economic Supremacy. By BROOKS ADAMS. New York, The Macmillan Company, 1900. — 222 pp.

Expansion under New World Conditions. By JOSIAH STRONG. New York, The Baker & Taylor Company. — 310 pp.

These three books have a general likeness to one another, and all of them are arguments for industrial expansion. They enlarge on the newly acquired power of the United States to produce manufactured goods and to sell them in the markets of the world in competition with the products of other countries. They show the necessity for keeping the Asiatic markets open. They reach conclusions that the people of America have generally ratified as sound, and they present many striking facts in support of them.

Mr. Conant's major premise is the rapid growth of American capital and the evil which follows when it "doubles upon itself" by wastefully duplicating the plants that already are able to turn out merchandise enough. He seems to avoid the ancient fallacies about universal overproduction, by asserting that the larger evils which he dreads occur chiefly in consequence of ill-advised ways of using the capital; and yet he makes much of that fall in the rate of interest which must follow, even when the new capital is wisely used. By the tone of the discussion rather than by direct statements, he gives a certain reinforcement to the belief that the mere quantitative growth of capital is in danger of doing great harm. The work intimates that, while for a long interval we may relieve the situation in America by sending capital to the undeveloped areas of the world, the time must ultimately come when they too will begin to feel the glut of capital. There will be no further areas to which the productive fund can be exported; and there will ensue a condition much to be dreaded and for which no remedy is suggested; though the author finds solace in the reflection that the date

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of the world-wide glut of wealth is perhaps so remote as to make it unnecessary now to take the coming condition into account.

The chief weakness of the work is the failure to recognize (1) the benefits of increasing capital, (2) the necessity for such increase, if growing population is not to mean poverty for workers, and (3) the tendency of capital to find, in the end, the right forms of investment and, as invested, to raise wages. Its merits are the vigor and general soundness of its plea for outlets for exportation and, in particular, its recognition of the fact that the opening of foreign countries means not only a chance to sell goods with profit, but a chance to invest our own capital with an even larger and more permanent profit. The ulterior effects of this investment and of the development of the resources of the countries to which the capital is to go the author does not discuss.

Mr. Adams bases his argument on the changes that have taken place in the location of the commercial center of the world. Constantinople, then Aleppo and Antioch, then Cairo and Venice, then Antwerp and Amsterdam, and finally London — these have been successively at the focus of the economic activities of the world. The center, Mr. Adams thinks, is about to locate itself outside of England, and it should come to America; for England is suffering from a decadence that shows itself prominently in her economic life, though evidences of it can be found in her literature and her recent military history. Russia is not qualified to inherit the primacy which England is relinquishing. With an efficient government and a wise foreign policy, America should inherit it.

There is a single passage in this book which shows that the author has in mind some of the remoter consequences of the forcible opening of Asia to commercial intercourse. It would be for the interest of America, if China were to "remain quiescent." There is, then, much involved in the development of the dormant energies of China besides an outlet for surplus goods and for surplus capital; and some of the remoter effects are to be of a kind that America will not welcome. If this part of the subject had been more fully discussed, a large service would have been rendered to the readers of the book. The view from which there will be the most vigorous dissent is that concerning the supposed decadence of England; for the presence of successful rivals does not necessarily involve such decadence.

Dr. Strong's work is an energetic plea for a policy that will give us a supremacy in the commerce of the "New Mediterranean," the

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Pacific Ocean. The need for this arises from the exhaustion of our arable public lands, and from the fact that the development that has followed has been most marked in manufacturing industries. The work has a highly exultant tone, so far as our capacity to produce is concerned, but is not free from a note of warning, when the possibility of finding ourselves without room for expansion is considered. It calls in a positive way for an Isthmian canal and for commercial connection in the East, such as the possession of the Philippines gives.

While some of these books forecast the ulterior effects of industrial expansion, they all present facts which must be reckoned with in deciding what is the wise American policy, political and commercial, under the conditions which prevail at the beginning of the new century.

J. B. CLARK.

The History of Colonization, from the Earliest Times to the Present Day. By HENRY C. MORRIS. New York, The Macmillan Company, 1900. — 2 vols.: xxiv, 459; xiii, 383 pp.

The literature on the subject of colonization shows, in its ebb and flow, an intimate connection with the interest which has been felt by the various nations of the world in the work of colonization. This is true as to the amount of that literature, as to its character and as to its source. During the early part of this century the major part of the books on colonization were due to English pens and were written in a decidedly pessimistic spirit, with the apparent purpose of discouraging English expansion and of emphasizing the tendency toward seeking independence, which all colonies of occupation seemed to have. The experience of England with the American colonies had been so unfortunate, and conditions in Canada were at the time so troublesome, that English writers could see little advantage to be derived from the possession of colonies and sought some method by means of which the connection between the mother country and the dependencies might be dissolved without disgrace to the former. This period was brought to an end by the establishment of what has come to be known as responsible government.

During the middle of the century very little literature appears on the subject. But the appearance of France as a colonizing power in the north of Africa was accompanied by a considerable increase in the French literature. The problem now had somewhat changed. Previously it had been to settle the relations between the metropolis and colonies to which had migrated a large European population.

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Now it was to find a method by which the metropolis could govern large populations of alien blood and, from the European point of view, of inferior civilization. The expansion of England, and later the entrance of other European powers upon the field, brought it about that the literature of the period from 1870 to the close of the century was very large. Its tone, too, had changed from the pessimism of the early part of the century to a marked optimism.

This is the period of the literature of colonization in which we are now living. To this literature comes as a welcome addition the book under review. That its authorship is American is due to the fact that the United States has just bounded into the arena as a colonizing power. Mr. Morris's book is different in many respects from any other book upon the subject. It is, as its name indicates, a history of colonization; and it is on that account more objective in its treatment of the subject than any which has preceded it. Its author has not attempted, as did Merivale and Leroy-Beaulieu, to advance any thesis as to the proper methods of treating colonial dependencies, but has been content to lay before his readers with great impartiality the facts to be found in the history of the relations of metropolis and dependency, from the earliest times of which we have any record to the close of the nineteenth century. It may perhaps be said that, in his endeavor to be exhaustive in his treatment, Mr. Morris has in some cases overstepped the boundaries of his subject, and has included in his work what belongs to the history of commerce, rather than to the history of colonization. This is particularly true of the earlier portion of the book, that devoted to "Antiquity," where much that is related can hardly be regarded as relevant to the history of colonization, even if we accord to that term its widest significance.

On the other hand, Mr. Morris has — perhaps from a too great willingness to accept the standards set by former writers on the subject — conceived of colonization as a movement which can take place only over intervening spaces of water. The result has been that, although as to such movements he has given no details which are not really relevant to the subject, movements which have taken place over land have been almost entirely omitted, no matter how closely connected with colonization — using the word in a somewhat narrow sense — these movements may have been. Thus, while Mr. Morris gives us a detailed sketch of Phœnician, Greek and Italian "colonization," as he calls it, he has nothing to say about the great expansion of the United States and of Russia — the one

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over the waste places of the North American Continent, the other over the vast expanses of northern Asia. This is greatly to be regretted. For Mr. Morris's description is always so interesting, and the work of Russia and, particularly, of the United States has been so important, that the reader cannot refrain from wishing that the development of the colonial system of the latter country — for such in reality is our system of territorial government — might have been treated in the same intelligent and impartial way in which the work of the other colonizing nations has been treated.

No one, however, can close Mr. Morris's book without feeling a deep sense of obligation to its author, and without appreciation of the vast amount of patient and laborious investigation which Mr. Morris has brought to his subject. The exhaustive bibliography which is appended to his work and the continual marginal references alone must convince his readers that he has made a conscientious endeavor to get at all available sources of information. His book will unquestionably take its place among the few standard works on the subject of colonization, and will be of great help to his countrymen in their endeavors to solve the most important problem which has been presented to them since they solved the question of national unity.

FRANK J. GOODNOW.

A History of the People of the United States, from the Revolution to the Civil War. By JOHN BACH MCMASTER. Vol. V. New York, D. Appleton & Co., 1900. — xiv, 577 pp.

The fifth volume of Professor McMaster's *History* differs to a considerable extent from those which have preceded it. The period covered is from 1821 to 1830: that is, it includes the second administration of Monroe, the administration of John Quincy Adams and the beginning of Jackson's term. Yet only the third chapter, with parts of the first and second, gives anything like a connected account of the events of Monroe's second term; while the last three chapters tell the history of the years 1825–30. The rest of the volume, two-thirds of the whole, is a series of monographs upon the social, intellectual, economic and political conditions of the time.

After reading the book, one retains a somewhat confused but more or less valuable series of impressions of the life of the people, of their ideas on various subjects and of the economic advancement of the time; but any complete picture of the whole, or any presentation of the subject that brings out clearly the significant features

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of the period and shows the relations of things and events, is not to be had. It is in this particular that the most serious criticism of Professor McMaster's work should be made. Is this because the main lines of the history are lost in a confusing multiplicity of details, or does the author himself fail in a comprehensive grasp of his subject?

When the first volume of this history was published, in 1883, it was announced that the work was to be completed in five volumes. In 1895 this number was increased to six, and the title-page of the present volume reads "in seven volumes." The history has now been brought down to the year 1830. If five volumes have been required to cover the period from 1783 to 1830, is it probable that two volumes will be sufficient for the three decades that still remain, especially if we take into account the increasing complexity of the industrial and economic conditions, and the important political and social differences that culminated in the Civil War? The very material that Professor McMaster so largely relies upon, newspapers and public documents, — even if he continues to neglect such valuable material as biographies and memoirs, — increases rather than diminishes in the period which follows, and would seem to require a fuller rather than a more contracted treatment. What will the author do? Will he announce later that still another volume has been found necessary, or will he conclude that, since the appearance of the masterly *History of the United States since the Compromise of 1850*, by Mr. Rhodes, there is no reason for continuing his history beyond the date of this later work? Professor McMaster's miscalculation as to the bulk of his work tends to confirm the impression created by its content, that he does not strive to adjust the relative significance of events, and that to him "all facts look alike."

The present volume deals with a period for which we have no other history of importance. But it is not likely that this work will deter others from attempting to cover the same years. The early troubles in Texas, the efforts for the suppression of the slave trade, the Monroe Doctrine, the Oregon question, the disputes with England over the boundaries of Maine and Oregon and over the West Indian trade, the Panama Congress, and the elections of 1824 and 1828 are the principal subjects treated in the first three and last three chapters of this volume. A separate chapter is devoted to a valuable account of the protective tariffs of 1824 and 1828. The period is not one which is crowded with important events, and at first sight it would seem as if all that was necessary had been included. But

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when we remember the important personalities of that time, and how much of history then and later is only to be interpreted by the influence of those men and their relations with one another, — subjects which are inadequately treated, if at all, — it will be seen that Professor McMaster's work leaves much to be desired.

The rest of the volume, as already stated, is in reality a series of monographs. The first of these is in Chapter XLI, on the Monroe Doctrine. Admitting the importance of that doctrine in our history, it may well be doubted whether so full an account of the European and South American conditions as is given here is altogether desirable. Certainly an exception may be taken to the space that is devoted to distinguishing between the Holy Alliance and the quadruple alliance of the Powers. In all this there is nothing new: a single reference, for example, to Andrews's *Historical Development of Modern Europe* would have been sufficient. And especially does one resent this show of learning, because the author himself ignores the distinction upon which he has laid so much emphasis, again and again using the term "Holy Alliance" just as all other historians have used it, for the sake of convenience.

Similarly, one objects to the treatment in Chapter XLVIII of the sharp criticisms of the United States that appeared in the British periodicals. If these criticisms were "of little value," as the whole tenor of the chapter implies, why devote so much space to them? But if they have their value, as many of us are inclined to believe, is this the best method of presenting them to the reader? That Professor McMaster did not always take so depreciatory a view of these criticisms appears from his first volume, where, in citing a part of the same article by Sydney Smith in the *Edinburgh Review* of 1820, to which in this chapter he devotes two pages, he prefaces the citation with the remark: "And his taunts were none the less galling because they were true."

The chapter which precedes, entitled "Early Literature," and the two chapters which follow, the one on "The Common School" and the other on "Political Ideas" in the first half century, although in a way admirable treatises on their respective subjects, seem to be unnecessary and somewhat out of place in this connection.

In order that anything like a complete sketch may be given of these various subjects, the author has found it necessary to repeat much that has already been said in previous volumes, and even to go farther afield and gather up the threads of the past history of the particular topics. It has thus come about that a large part of the

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present volume does not relate to the period which is nominally covered. In the first eleven chapters one-third of the dates which are given at the top of the pages are antecedent to that period. And the chronological leapings to and fro are very hard to follow. For example, the dates at the top of pages 27–31 run as follows: 1824, 1796, 1815, 1814. Nor is this an extreme instance.

The three remaining chapters, XLIII, XLIV and XLV, on "Socialistic and Labor Reforms," "State of the Country from 1825 to 1829" and "The Negro Problem," are the best in the book. As the titles indicate, they approach more nearly to what is the real subject of Professor McMaster's work — that is, the history of the people of the United States. They describe the conditions of the times, how the people lived and what they were interested in. We may observe, however, the same faults that every critic of our author has noted since the publication of his first volume. The most heterogeneous subjects are treated in each chapter with lightning-like transitions, that irresistibly suggest "The Walrus and the Carpenter":

> The time has come, the Walrus said,
> To talk of many things,
> Of shoes — and ships — and sealing wax —
> Of cabbages — and kings.

But if the same faults that were noticeable in the earlier volumes are here, it is only fair to say that the same virtues that the earlier volumes show are also still to be found. In spite of the lack of perspective, the confusion of dates and the multiplicity of subjects, the author's manner is fascinating in its interest; and from his kaleidoscopic pictures the reader obtains an impression of the conditions of the times that few, if any other, historians have been able to give. This is apparently the first object that Professor McMaster has had in view, and in justice to him it must be said that he has succeeded wonderfully well.

MAX FARRAND.

WESLEYAN UNIVERSITY, MIDDLETOWN, CONN.

Bismarck and the Foundation of the German Empire. By JAMES WYCLIFFE HEADLAM. (Heroes of the Nations Series.) New York and London, G. P. Putnam's Sons, 1899.—x, 463 pp.

This volume is commendable from several points of view. It is an excellent account of the subject, as the best English opinion regards it; it is quite accurate; and it is readable. The book is of convenient form; paper and print are fair; and the illustrations are

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better than those which so often disfigure the average series book. Throughout there is evidence that the writer has consulted the authorities to which he has referred: the Bismarck-Regesten and Bismarck-Jahrbuch, with the private letters edited by Kohl; Poschinger's collections; Busch's Memoirs; and, above all, the *Gedanken und Erinnerungen* of Bismarck himself. The author is at his best in tracing Bismarck's rise; we have, moreover, nowhere seen a cleverer and better digested account of the Schleswig-Holstein question. The narrative runs on smoothly in describing the founding of the North German Confederation and partially into the period of the empire. Thus far, at least, we feel that the writer proceeds with a firm step and with the ground under his feet, though the account of the Hohenzollern candidature is based on a most untrustworthy source — the memoirs of the King of Roumania. It is not a pleasant picture, moreover, which portrays the conduct of the great chancellor during the war; nor is it altogether just, for due allowance should be made for the superhuman and not-to-be-foreseen difficulties of a victorious nation, when its opponent fell into total disorganization before it. Never before in the history of civilized European warfare were such masses of prisoners demanding humane treatment, never had there been such difficulty on the part of a victor to maintain a constituted authority among the conquered wherewith to discuss terms of peace. Really there is no historic parallel, not even when the allies entered Paris after the Napoleonic wars; for at that time at least there was surviving a powerful tradition of royalty, and in 1870 there was not.

The pages devoted to Bismarck's service in the new empire are very few in number. The account given, though over-condensed, is nevertheless tolerably complete. We could wish that the author in dealing with his readers had recalled the important truth, that there is a virtue in the statesman far higher than that of consistency — namely, that of being true to principle in every set of conditions which confronts him. It was a high-sounding theory, and one that for long was justified, which announced that to secure unity Germany must be Prussianized; it was a noble surrender, in the light of new knowledge, which led Bismarck, throughout his difficult task as chancellor, to Gallicize Germany and Germanize Prussia for the sake of permanence in the institutions under which peoples so widely different as those of Germany were intended to live.

The unhappy circumstances surrounding Bismarck's fall are truly and forcibly outlined. Not too much is said of the prince's conduct

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during retirement; the good taste of history will in time relegate his faults of extreme old age and his peevish feebleness under provocation to kind oblivion. But not, perhaps, until the German emperor, the German people and the Chancellor's own family have made the only reparation in their power for sensibilities wounded by apparent ingratitude and a death embittered by resentment — to wit, a fitting and enduring monument of some kind, to keep always alive in the nation which he made the memory of Bismarck's preëminent services.

WILLIAM M. SLOANE.

Die wirtschaftliche Thätigkeit der Kirche in Deutschland. Von THEO SOMMERLAD. Erster Band. Leipzig, J. J. Weber, 1900. — 366 pp.

Modern scholars recognize that in the mediæval period church history cannot be differentiated from secular history and that the ecclesiastical hierarchy, the only organized state in existence, touching at numberless points the life of the growing nations, was a dominant factor in their development. Herr Sommerlad's book, as he states briefly in the introduction, is soundly based upon a realization of this fact.

This first volume of the work has two introductory chapters. In the first the author gives an account, based chiefly upon Tacitus, of the Germans before their contact with Christianity; in the second he turns to the economic theories of the early Church Fathers, culminating in "the theoretical foundation of mediæval ecclesiastical socialism by St. Augustine." The remainder of the book, — about one-half, — dealing with the subject proper, consists of a chapter on the work of St. Columba and the Celtic missionaries, and another concerning St. Boniface and the Anglo-Saxon monks in Germany.

The author's introductory chapters lack strength and certainty of touch. The treatment of German institutions is radical. Herr Sommerlad rejects altogether the mark-system theory, as developed by Roth, Waitz and Maurer, and the modified form of the theory advocated by Lamprecht. In common with Hildebrand and Inama-Sternegg, he believes that land was held, not by the community, but by the individual — that society was based, not upon territorial, but upon personal, relations. But he presents no evidence adequate to uphold his theory.

The account of the economic doctrines of the Church Fathers brings out the repressive influence exerted upon economic development by the church, so far as her theories were carried out. It is

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difficult to understand the failure to emphasize, in this connection, the doctrine as to usury. Sommerlad's treatment of St. Augustine is marred by the somewhat fantastic comparison with Karl Marx, and by a rather exaggerated estimate of St. Augustine's influence on the economic development of Europe.

When Sommerlad leaves origins and theories and turns to his subject proper, his work is more solid and convincing. The chapters on the missionary monks are based upon reliable secondary authorities — Rettberg, Hauck and Hefele, for instance — and upon honest study of the sources. Here, however, the reader wonders that an author who cites both reliable and untrustworthy sources — the contemporary *Life of St. Boniface*, by Willibald, and the almost worthless *Passion of St. Boniface* — should give no critical estimate of sources. It is strange, too, that he should make so little use of the capitularies of the Frankish kings.

The work of the Celts and the Saxons is treated with evident intention to avoid bias. The Celts gained a foothold among the Germans quickly, because they were independent, individualistic. The Saxons, bringing the Roman hierarchical organization, were able to retain the ground gained by the Celts as they, with their loose organization, could not have done. All the missionary monks furthered the economic development of Germany, through colonization and through the foundation of industries. These are familiar facts which Herr Sommerlad's investigations have simply served to corroborate.

His most valuable work concerns the relation of the church to property, especially to land. He treats clearly and well the laws of inheritance, the economic significance of the increase of church estates, and the so-called secularization of church lands in the eighth century. This so-called secularization was, as he shows, simply a forced loan — an arrangement by which the king gained land with which to pay his soldiers, while the church received a guarantee of ownership and a yearly payment for the use of the land. This is interesting for its bearing on the military and financial systems of the Frankish kings, as well as for the light thrown on the management of church lands.

ELLEN SCOTT DAVISON.

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Geschichte der russischen Fabrik. Von M. TUGAN-BARANOWSKI. Deutsche Ausgabe, von Dr. B. MINZES. Berlin, Ernest Filber, 1900. — vi, 626 pp.

The author of this work, who has made a very favorable impression in Russian scientific literature by his earlier work on the English economic crises, has undertaken to fill one of the most unpardonable gaps in Russia's economic literature by an investigation of the development of Russian industry. The author has succeeded in producing a brilliant, and yet thoroughly scientific, book. His breadth and tact have kept him from losing himself in detail: he keeps constantly in sight the general and the characteristic. He writes not about factories but about *the* factory, the development of the form of production in Russia. He fortifies his characterizations not by certain chosen data, but by a consideration of all the available sources.

In considering the subject-matter of this book, we must modify considerably our customary conception of industrial development. The largest part of contemporary Russian house industry, for example, has not developed from the family economy, as one is generally led to suppose, but owes its existence to the rise of the factory. For example, the most widely spread house industry of central Russia, cotton weaving, is due to the development of the factory. At the end of the eighteenth century foreign capitalists erected great textile factories in Russia, which were imitated by a competing house industry. The great industry yielded to this competition and the former heads of factories became the chief agents in distributing weaving among the house workers.

Briefly stated, the fortunes of the Russian factory have been as follows. Before the time of Peter the Great there was not a single large industry. At the end of his reign there were 233 factories, some under state management, the others private concerns. In order to develop the military resources of Russia, he strove to create an independent industry. His method was either to erect state factories, which could be later handed over to private individuals, or to grant large bounties to those establishing private cloth, linen, metal and other industries. Every home industry was protected by a tariff of from fifty to seventy-five per cent. The newly erected factories were on a large scale. Nine establishments in the Government of Perm numbered 25,000 laborers; the state linen factory in Moscow had 1162 workmen. At that time owners were largely merchants and the workmen serfs.

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The next period was characterized by the successful efforts of the nobility to limit the rights of the merchant class to possess serfs. These efforts resulted in the building up of the "noble" factory. Of the ninety-eight factory chiefs who at the beginning of this century furnished military cloth to the government, only two came from other classes than the nobility. In the beginning of the eighteenth century the state was the chief consumer of factory products. As the technique of the time was on a low plane, the serf labor satisfied the needs of production, and the factories not only supplied the home wants but also exported extensively.

In the nineteenth century the conditions changed entirely. Without state aid the cotton industry sprang up in Russia and pushed the old linen business to the wall. With the advance of western European technique, serf labor became impracticable. Export declined. At the same time the growth of city population developed a free working class. Already in 1825 one-half of the Russian factory operatives were free laborers. Serf labor was extremely inconvenient for the managers, who could neither introduce new machinery nor alter the quality or quantity of goods, as they could not reduce the number of workmen at will. The same merchant class which in the eighteenth century had struggled so energetically for the right to possess serfs, petitioned in the middle of the nineteenth century to get rid of serf labor. Free labor became an absolute essential in factory development.

I have already said that a large part of the Russian house industries developed from the factory industry. A primitive technique allowed the house industry not only to exist, but to compete successfully with the great industry and to ruin it. In the present day of the universal destruction of the house industry, it is hard to realize that the whole period of Nicholas I was characterized by the cry for protection raised by the great industry against the house industry. In the thirties and forties of this century the competition of the house industry reduced the number of factory laborers rapidly, although cotton and yarn were being imported on a grand scale.

At the end of the fifties things changed. A sharp improvement in industrial conditions, as a factory manager beautifully put it,

> allowed the do-nothings [*i.e.*, the workmen] to make use of the favorable situation of the market to claim an advance in wages. . . . This caused the Russian leaders of industry to avail themselves of a means for the advancement of morality and the reduction of wages.

This means was the power loom.

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Now [continues Zhuroff] the working class will, of course, be sorry that by their dishonorable and cruelly perfidious deeds they have called down upon themselves their own misfortune; for only the excessive wrongdoing of the weavers caused the factory managers to introduce the mechanical loom.

The machine worked; it put an end to the "wrongdoing" of the workmen; wages sank rapidly, as is the case everywhere in Europe in the first stages of capitalistic production. A still more far-reaching change followed the abolition of serfdom, whose first working was seen in the complete ruin of all those concerns which were unprepared for the change. The "noble" factories were doomed, and the government metal factories reduced their output one-third. After these momentous changes began the uninterrupted development of the Russian great industry. The formerly victorious house industry was step by step being pushed to the wall. Nominal wages in the eighties decreased thirty to forty per cent from those of the fifties, but there was a pronounced tendency toward improved conditions. Russia has made a beginning at factory legislation.

M. Tugan-Baranowski treats not only the changes in the method of production but also the relations of intellectual forces, of literature and of legislation to the great industry. He also considers the past and present condition of labor.

COLUMBIA UNIVERSITY. VLADIMIR GR. SIMKHOVITCH.

Die staatliche Regelung der englischen Wollindustrie vom xv. bis zum xviii. Jahrhundert. Von Dr. FRIEDRICH LOHMANN (in Schmoller's *Forschungen*, XVIII, Heft 1). Leipzig, Duncker und Humblot, 1900. — x, 100 pp.

The Commission for the publication of the *Acta Borussica* propose to follow in the remaining volumes of Prussian economic State Papers the same plan which they have already adopted in the volumes devoted to the corn trade and to the silk industry, *viz.*, to preface the documents themselves with a survey of contemporary conditions and governmental action in the other countries of Europe. In accordance with this purpose, Dr. Lohmann was commissioned to draw up an account of the regulation of the English woolen industry in the period from the middle of the fifteenth to the middle of the eighteenth century, and the result is now before us. It is certainly a useful piece of work, if only because it brings together a great deal of material in a convenient form. We want a similar survey for each of the great industries of each of the great countries of Europe; and

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probably the chief service of the *Acta Borussica* to economic and historical science will be found in the series of such sketches which it is on the way to produce.

As the title of the monograph indicates, and as Dr. Lohmann expressly informs us, the scope of his treatise has been limited to an account of the legislation affecting the industry. As such, it follows lines already pretty familiar to those who have looked into the subject; although it is of real assistance in bridging over the gulf which modern writers have left between the sixteenth century and the eighteenth. I cannot but think, however, that Dr. Lohmann hardly kept in mind this limitation of his range, when he came to write his preliminary and his concluding remarks. He quotes with approval (p. viii) the assertions of List that England reached its stage of free-trade policy only after passing through a stage of governmental tutelage, and that the theoricians are altogether wrong in supposing that England reached its position of wealth and power *in spite of* its commercial and industrial policy. Even Held's criticism of the system of regulation, as in large measure impracticable, is too great a concession to *laissez faire* to be passed without protest (p. 100). My sympathies are altogether on Dr. Lohmann's side; and yet I am bound to point out that from a mere survey of the legislation it is quite impossible to determine the question at issue. For that purpose, it would be necessary to write the history not only of the legislation but also of the industry itself; and this would be an arduous and protracted task, even if it should be possible to find adequate material. Take, for instance, the prohibition of the export of wool. Before it is worth while to undertake the very difficult theoretic problem which that presents, we ought to have some quantitative estimate of the extent to which the statute was actually enforced. Did "the running of wool" reach such large proportions as to render the legislation of no avail? I suspect that an inquiry into the actual internal life of the industry would show the necessity for drawing a great many distinctions, first between one period and another, and then between one branch and another of the system of control. Dr. Lohmann has himself shown how the machinery for the supervision of the manufacture was weakened by its association with "self-government" — as Gneist has taught German scholars to call the local administration of the justices of the peace (p. 61).

But though he has not had time to go far beyond the statute book, Dr. Lohmann has made a good deal of use of the State Papers; and these have enabled him to do better than his own modest promise

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and to add considerably to our knowledge of the history of the industry, especially in the seventeenth century. Most interesting to the present writer is the account of the industrial crises of 1622 and 1629 (pp. 17, 18); of the commission of officials and merchants in 1622 (p. 69), and of the two commissioners of inquiry of 1630–35 (p. 64). The conflict of the two latter commissioners with the local justices of the peace deserves further looking into; and it might possibly contribute a chapter to the rehabilitation, now progressing, of the Stuart administration.

W. J. Ashley.

Harvard University.

History of American Coinage. By David K. Watson. New York and London, G. P. Putnam's Sons, 1899. — xix, 278 pp.

This book is too pointedly in favor of the single gold standard to be impartial and its argument is too circumscribed to be strong. But in what the author seemingly set out to do, he has attained a fair degree of success. A simple account of the various laws enacted by the Federal Congresses with respect to the Mint and to coinage, a brief review of the preliminary official and legislative discussions, sketchy references to the reasons which decided the final terms of such laws, and occasional excerpts from contemporary comment practically comprise the scope of the work.

Upon the political setting of the story Mr. Watson throws little light. In the main he abstains as well from search for general causes as from effort to describe coinage matters in their relation to the broader currency history of which they are a part. A few numismatic questions are looked into, but as a rule this phase of the theme suffers neglect. The author's statistics are also scanty. Tables showing market ratios of gold and silver or telling what coins and how many were struck each year since 1792 would have bettered the book vastly for everyday use, even if they curtailed the five pages of discussion of the legend, "In God we trust." Furthermore, not all the tables given are correct. Thus, on page 112, the fine contents of minor silver coins struck under the acts of 1837 and 1853 appear as exactly the same. Since the act of 1853, however, the half-dollar has been but 172.8 grs. fine, as against $185\frac{9}{16}$ grs. under earlier laws, and smaller silver coins in proportion. There are errors of nearly one-tenth of one per cent ($\frac{2}{10}$ and $\frac{1}{10}$ grs. respectively) in the fine content of the eagle and of the half-eagle under the act of 1873, as given on page 138.

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Barring such scarcely vital defects, the book seems fitted to serve its purpose. It has the merit of putting things clearly, simply and in an interesting way. Portions of the history, especially those relating to the coinage agitation under the Confederation, are drawn in part from new and good manuscript sources, and the appendices contain a number of documents not easily accessible hitherto. To start anew traditions spun about the "dollar of our fathers" Mr. Watson skillfully reminds us that barely eight million such pieces were coined in the Mint's first eighty years.

NEW YORK. R. M. BRECKENRIDGE.

Report on the Adoption of the Gold Standard in Japan. By COUNT MATSUKATA MASAYOSHI, Minister of State for Finance. Tokio, Government Printing Press, 1899. — xv, 389 pp.

This volume is much more than an account of the monetary reform of 1897, which gave Japan definitively a gold standard. It contains a history, in considerable detail, of the monetary and banking regulations of the empire from the beginning of modern Japan in 1868.

The coinage law of 1871, while not otherwise disturbing the position of the old silver *yen*, introduced the gold standard (the *yen* almost exactly equalling our gold dollar) and provided likewise for the coinage of a trade dollar, the silver *yen*, equal in size and quality to the Mexican dollar. The government was not, however, able to maintain the system. Large amounts of inconvertible paper money were issued to defray the expenses of the Revolutionary War, to replace the paper money issued by the feudal lords previous to the abolition of feudalism in 1871 and to pay the expenses of suppressing the rebellion of 1877. In 1873 a banking system was introduced, modelled upon the national bank system of the United States. The government intended that these bank notes should replace the government paper but was unable to bring about this result, so that the bank notes in effect swelled the amount of inconvertible paper. In 1878, therefore, the government was forced to make the trade dollar an unlimited legal tender, creating a bimetallic system which soon forced the country upon a silver basis.

The depreciation of the paper became so threatening that some change was seen to be necessary; and Count Matsukata, who became minister of finance in 1881, formulated a plan for a central imperial bank which should eventually replace the government paper and

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national bank notes by its convertible issues. The bank, the Nippon Ginko, modelled upon the Bank of Belgium and the German Imperial Bank, was established in 1882. Measures were immediately taken to redeem gradually the outstanding paper and to build up a specie reserve, with such success that specie payment was resumed by January 1, 1886.

The continued and rapid depreciation of silver throughout the world was, however, causing severe business disturbances in Japan; and in 1893 a coinage investigation commission was appointed, which reported in July, 1896. The commission were divided in opinion, except upon the point of the causes of the fluctuations in the price of silver and their general effect. As to the question of the favorable or unfavorable effect of these fluctuations upon the economic condition of Japan, the majority seem to have held that the effect was on the whole favorable. However, as to whether a change in the coinage system was called for, a majority of eight to seven was obtained by the minister of finance in favor of change, by extending the scope of the question so as to include the consideration of a possible future need for change. Count Matsukata relates:

> Among those who advocated the necessity of making changes, six advocated the adoption of a gold standard, while two advocated a bimetallic system. Thus the majority of the commission were of opinion that there was a necessity of making changes in the present coinage system of the country, and the majority again of those who advocated the need of making changes were in favor of adopting a gold standard. It was thus clearly shown that the coinage reform and the adoption of a gold standard was the pressing necessity of the time.

For brilliancy of method in constructing favorable majorities this is commended to whom it may concern. The greatest difficulty in the way of carrying out this policy was the need of the accumulation of an adequate gold reserve. But this far-seeing finance minister had in the previous year arranged to have the Chinese War indemnity paid in London, partly for this very purpose; and accordingly the transfer of the money to Japan was accomplished in a way to secure this end. The Coinage Law was enacted in March, 1897.

The gold *yen*, the new coinage unit, was made exactly one half the gold *yen* of 1871, bringing it near the bullion value of the old silver *yen*. The coinage of silver *yen* was discontinued, except from bullion previously bought, the highest silver coin authorized by this law being the 50 *sen* piece, or half *yen*. The new silver coins were

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legal tender only to the limit of 10 *yen*, but the silver *yen* continued to possess unlimited legal-tender quality for five years, during which time they were to be exchanged for gold *yen*. The carrying out of the policy of the law was very cleverly managed. The law went into effect October 1, 1897. By April, 1898, 74,455,735 new gold *yen* had been coined from the Chinese indemnity gold for use as a redemption fund for silver. By July 31, 1898, 45,588,369 silver *yen* and 29,505,453 mint notes for silver bullion deposited had been exchanged for gold coin: in other words, the exchange had been practically completed. By the end of that year they had disposed of this silver coin and bullion amounting to over 75,000,000 *yen*. A small part, nearly seven million, was sent to Formosa; nearly forty-one million were sold in China; and over twenty-seven million *yen* were set apart for recoinage into subsidiary silver. The loss and expense on the whole transaction amounted to a little over five million *yen*, and this was more than covered by the seigniorage.

These facts are all set out in the report with admirable clearness. If at times the reader becomes suspicious that statements are arranged in the best way to emphasize the advantageous side of Count Matsukata's policy and deeds, he yields to the easy reflection that the policy was statesmanlike and effective and the deeds well worthy of detailed record. The thoroughness with which the monetary, banking and financial experience of other countries have been studied by the Japanese government is evident throughout, in spite of slight errors here and there in the description of foreign systems. It is interesting to Americans to know that the original impulse to the coinage law of 1871 came from this country, and likewise interesting to see how the Japanese were unable to succeed with a system of national banks somewhat on the model of ours.

The various chapters are interspersed with fifty statistical tables illustrating every phase of the subject.

The author's discussion of the effects of the coinage reform upon the economic condition of Japan is valuable and suggestive. It naturally presents the most favorable view, but he is able to point to a more stable state of prices and to a more steady rate of foreign exchange. It remains true, however, that the policy of the government in this reform finds determined and intelligent criticism among the non-official classes in Japan.

SIDNEY SHERWOOD.

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Economic Crises. By EDWARD D. JONES, PH.D. New York, The Macmillan Company, 1900. — 251 pp.

This is a safe, careful and solid volume, equipped with all the approved apparatus of a scholar's book, and sure not to mislead or misinstruct the reader. It has its introduction and conclusion; a full index; a classified bibliography, which perhaps suffers by over-elaboration; a summary, or "résumé," at the close of each chapter; and quotations and notes of reference in abundance. But it has also the defects so often found in the books of the conscientious and well-read scholar. It fails to give the impression of continuous and unhesitating thought; it contains too much of the opinions of others, too little of the author's own; it gives such full attention to the qualifications and accessories that the forest is not seen for all the trees.

The absence of clear-cut conclusions, or rather the absence of an impression on the reader of such conclusions, may be the inevitable result of the plan of the book. In successive chapters, the various theories which have been set up in explanation of crises are stated; and *pari passu* with this presentation of the chief theories the author gives his own systematic discussion. This arrangement in itself stands in the way of single-minded presentation of the author's own views; for the different parts of his positive conclusions must be pieced together from widely separated passages. Nor does the very brief concluding chapter present them in incisive shape. At the same time, the discussion of so large an array of topics may easily carry us into the field of economics at large; and certainly on some of them our author has gone farther than was necessary for his own subject, and yet not far enough for the full exposition of the related subject. Thus, the chapter on "Crises and the Wage System" discusses Rodbertus and socialism, with a fragment at the close on workingmen's insurance; that on "Crises and Legislation" considers banking, note-issue and corporation law; that on "Speculation" has something on the services and dangers of speculation at large. On none of these topics is it likely that the reader fresh to the subject will find the exposition sufficiently full and clear; while the trained and informed reader will find nothing new.

The subject of crises may be divided, as Professor Jones points out at the beginning, into two readily distinguishable parts: on the one hand, the financial crisis, the panic proper — a matter of a few weeks or months; on the other hand, the industrial crisis — the prolonged *malaise* of the economic organism, extending over several

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years. The first of these is closely connected with the phenomena of banking and credit; the second touches, as indeed this volume shows, almost every phase of economic theory and experience, and the precise mode in which it may best be described and explained is still unsettled. Separable though they are, the two are in many ways connected. The industrial crisis usually follows a panic; and, even though a panic be successfully averted, the causes which threatened to bring it on and the means by which it may have been averted affect the course of the industrial crisis. It is at least doubtful whether the one can be satisfactorily explained without an explanation of the other also.

But on the first mentioned phase of the phenomenon this book offers virtually nothing. It is true there are some paragraphs on banks, note-issue and credit, and something on the obsolete, or at least obsolescent, theory of excessive note-issue as a cause of crises. But there is nothing on the special relation of banks to the acute crisis or on the lessons of experience as to the means of allaying a panic. The history of the Bank of England during the nineteenth century, the peculiar relations of the issue and banking departments, and the gradual growth of a well-defined responsibility and settled policy on the Bank's part; the analogous and yet different position of the Bank of France and the Reichsbank; the striking history of the American crises from 1857 to 1893 and the gradual evolution, as yet by no means completed, of a panic policy in our system of scattered and independent banks; the nature and consequences of the extraordinary development of deposit banking in English-speaking communities and especially in the United States — these are the topics with which a discussion of the financial crisis must concern itself, and on these we find virtually nothing. Here we have the most clearly defined phenomena, the widest range of experience as to the nature of the evil, and the nearest approach to approved remedies; and it must be reckoned a defect in the volume that this part of the subject has been slighted.

On the second phase of the general subject — the "hard times" that usually follow the acute crisis — we have much more; and this is, indeed, the proper subject of the book. To the present reviewer, the essential cause of the recurring eras of depression seems to lie in the complications of the division of labor — the prolongation and diversification of the successive steps in production, the wide separation of producer and consumer, and the impossibility of settled adjustment under conditions of great and rapid changes

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in the arts. Credit, speculation, banks, corporations, feverish pursuit of wealth, psychology — all these are accessory phenomena, to be subordinated in the exposition to the one dominant factor, the complex division of labor. The earlier chapters in this book, especially the chapters on the "Industrial Equilibrium," the "Organization of Industry" and the "Problem of Capital," take up this fundamental aspect of the problem; and they are in the main just and sound. Especially the last mentioned of these chapters, on the "Problem of Capital," in which the distribution of capital, the existence of unused or improperly used capital and the existence of gluts are severally examined, is sensible and judicial. Yet even here the reader misses a firm touch and a steady adherence to a guiding principle; and he would have been aided, if this part of the book had been more fully and consistently elaborated, even at the sacrifice of such subsequent matter as that on Rodbertus and socialism or the periodicity of crises and their relation to sun spots.

F. W. Taussig.

Harvard University.

Wages in the United Kingdom in the Nineteenth Century. Notes for the Use of Students of Social and Economic Questions. By Arthur L. Bowley, M.A. Cambridge, University Press, 1900. — 148 pp.

For a number of years Mr. Bowley has been an earnest and indefatigable student of the history of wages in England. He has found innumerable records fragmentary and disjointed, and it has been his task to knit them together into a consecutive history. A few years ago he found the solution of the puzzle in what he terms the "kinetic method," an elaboration of the principles of the index number. In its elements not unknown before,[1] it is in its application to wages new with Mr. Bowley and will doubtless be known as his special contribution to the methods of statistics.

The "kinetic method" shares with the index number the purpose of measuring changes — the latter generally in prices, the former in wages. For such measurements of change in either field absolute accuracy in the original figures is not so essential as continuity in the series. Thus far there is no novelty of principle or treatment. This begins when Mr. Bowley seeks to weld into a common series statements dissimilar in origin and form. Possibly the best explanation of his procedure is an illustration which, it should be added,

[1] See the reviewer's "Wage Statistics in Theory and Practice," in *Publications of the American Statistical Association*, 1899.

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deals with purely imaginary quantities. Suppose we have the following statements of carpenters' wages: London, 1885, 6*s.* daily; 1895, 6*s.* 8*d.* daily; and Chester, 1870, 28*s.* per week; 1885, 32*s.* per week. From these figures it is obvious that we can deduce the following ratios:

	1870	1885		1885	1895
Chester . . .	100	114	London . . .	100	111

By placing the London figures for 1885 equal to the Chester figures of the same date we have the consecutive series:

1870	1885	1895
100	114	127

For a single occupation the method is comparatively simple, and with a sufficient number of partial series a well-nigh perfect series of ratios may be constructed. For a group of occupations Mr. Bowley does not adopt the plan of a simple or weighted average. In a former essay[1] he criticises the "Aldrich Report" because it seeks to estimate average change, while his problem is to estimate change of average wages. Hence he deems it necessary to express wages in terms of a single occupation. Thus, if we have at the base line bricklayers represented by 100, with wages of 12*s.* daily, and their helpers represented by 100, with wages of 6*s.* daily, he would reduce all figures for helpers by one-half before taking his average (pp. 91-2). A further preliminary to calculating an average is to ascertain for the years represented the relative numbers of each class employed, if not accurately, at least approximately, in order to obtain a system of weights. A combination of several groups, which is not attempted in the present volume, would require similar manipulations.

It has seemed necessary to explain at some length the general method pursued by the author, in order to understand the meaning and intention of the present work, which in its subtitle bears the modest designation, "Notes for the Use of Students of Economic and Social Questions." Mr. Bowley has become so enthusiastic over his method that he takes the public into his laboratory to see it in operation. The object of the volume is to exhibit the raw material and the early processes of treatment. With infinite industry Mr. Bowley has searched the existing wage records and selected the material which he deems suitable for his purpose. He shows us the selective process at work and also explains how he prepares his specimens.

[1] "Wages in the United States of America and Great Britain, 1860–1891," *Economic Journal*, 1895.

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At a later day he promises to classify them into a system, and indeed frequently gives us hints as to how he proposes to do so.

In the present work Mr. Bowley's purpose is to find for different occupations consecutive wage records, based presumably upon the same principles, to give us as many series, however fragmentary, as possible. He holds that a person is liable to act in the same way on different occasions, so that, if a manufacturer reports wages to be 20*s.* at one time and 30*s.* at another, he may have in view the better class of workmen or the poorer class or the rate most frequently paid, but in both reports it will be the same. Whatever it may be, it will suffice to indicate the ratio of change. Before admitting any evidence Mr. Bowley scrutinizes it with extreme caution, seeking confirmation in other testimony. If the locality is not distinctive for the particular employment, he discards the testimony, unless a part, at least, is confirmed by that from the great centers of the industry. He carefully examines whether there is any part payment in kind, any allowances or any deductions. Not until he has satisfied himself upon these points does he admit the testimony. The field covered by this volume embraces wages in agriculture, in the textile industries, in the iron trades, in mining, in the building trades and in printing. For each Mr. Bowley selects the appropriate raw material, after methods which have been indicated.

While incomplete, the volume is the product of untiring industry and patient research. It brings only tentative conclusions, and its merit lies in its method rather than in its results. In showing how the crude figures of an earlier day may be utilized for scientific purposes, despite their imperfections, Mr. Bowley has performed a service for which the economist and the statistician should be duly grateful.

University of Pennsylvania. Roland P. Falkner.

The Modern Farmer in his Business Relations. By Edward F. Adams. San Francisco, N. J. Stone Company, 1899. — 602 pp.

A half century has sufficed to change the American farmer from a producer of commodities intended for his own use or for a local market to a producer on a large scale for the world's markets. The same period has likewise witnessed an immense improvement in the technical processes of agricultural production, especially through the introduction and almost universal use of agricultural machinery. Unfortunately for the farmer, his knowledge of the new markets and of the new methods of trading has not kept pace with this

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widening of the markets and with the improvements in production and transportation which have made the new trading conditions possible. In other industries the change to capitalistic modes of production has been accompanied by new methods of industrial organization, and manufacturers have endeavored, for the most part successfully, to adapt their businesses to the new conditions of trade. Few farmers, however, have the knowledge of market conditions which will enable them to produce profitably under the changed conditions; and the attainment of this knowledge is too expensive for the small farmer acting alone. Unless he can combine with his fellows in obtaining this information and in making use of it, the small farmer must suffer extinction.

It is the merit of Mr. Adams's book that its author sees that this is the situation in which the American farmer to-day finds himself, and that the only salvation for him lies in coöperation; and by coöperation he means not that form of association pictured for us in communistic romances, but the same methods of combination and organization that have met with success in manufacturing and commercial pursuits. A large part of the author's life has been spent in the effort to introduce modern business methods among farmers; and, while his efforts have not always succeeded, and the account of them seems disheartening to the reader, it is a proof of the author's optimism that he still sees in the coöperative movement a practical means of solving the agricultural problem.

Mr. Adams's own experience as a coöperator has been gained in the effort to organize the fruit-growers of California into associations for the purpose of marketing their products. He has given us an account of these associations in the present volume in Book VIII, which is entitled "The Coöperative Fruit Marketing Societies of California." It is no discredit to the remainder of the work to say that these chapters are the most valuable in the book. It may be worth while to summarize briefly the author's statements as to what his own experience has taught him are likely to be the gains resulting from coöperation among farmers and the reasons why so many such associations have failed. The gains to the farmers who organize for the purpose of marketing their produce are: (1) The elimination of the expense of concentration for sale; (2) the elimination of the expense of any local intermediary between producers and wholesale merchants; (3) the elimination, to a great extent, of the necessity of forced sales; (4) better insurance; (5) "good will" of business arising from assurance of honesty; (6) associated credit; (7) the

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business education acquired. "The most important gain," says the author, "arises from the elimination of forced sales, and the deliberate marketing of the product in the light of the full information as to its value which gradually becomes disseminated during the marketing season."

The failure of coöperative societies among farmers the author attributes to one or more of the following reasons: (1) They were not organized on the corporation principle; (2) they lacked adequate capital; (3) they were based on sentiment, rather than on business motives; (4) they were managed by those who did not understand the business; (5) they attempted business too complicated for the coöperative principle to succeed in; or (6) they became involved in debt. Judging from Mr. Adams's own experience in California, to these reasons for failure should be added the constant dissensions and fault-finding among coöperators themselves and their lack of confidence in and even hostility towards the officers whom they had selected to manage the undertaking. This has made it difficult to secure and retain the service of able managers.

The author does not see much hope in farmers' coöperative purchasing societies, but believes that, in spite of all the above-mentioned difficulties, coöperation for the sale of farm products can be made to succeed. Its success, however, will not be due to the fact that the farmers can thereby eliminate either the wholesale or the retail dealers and thus sell direct to the consumer: a wise coöperative movement will not antagonize these intermediaries. The experience of the California societies has clearly demonstrated that any gain which can be expected to arise from coöperation must come from a real economy in the methods of production and sale, and not through an attempt to control the market.

There are now six or seven thousand members in the California fruit-growers' coöperative societies, scattered over an area of seventy-five or eighty thousand square miles. These societies sell annually produce to the amount of nearly five million dollars, in markets from one to six thousand miles away. Where these societies have succeeded, they have been organized along distinctly commercial lines and not in an altruistic spirit. The motives to organization, the arguments employed, the principle of association followed and the obstacles to the formation of such societies have been identical with those found in the coöperation of capitalists in what are commonly known as "trusts."

The chapters in Mr. Adams's book which profess to set forth the

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relations of the farmers to the questions of the day — such as the tariff, railway problems, bimetallism, taxation, *etc.* — scarcely accomplish their purpose. They are in reality brief and sensible discussions of these subjects, written in a judicious and conservative spirit; and their main service to the farmer will be to furnish him with an intelligent statement and discussion of these questions from a general, rather than from a particular, standpoint. The author, in his effort to defend the business classes from the ignorant and false charges of many of the farmers, perhaps goes too far in his apologies and does not recognize the full force of the evils that do exist. In his chapter on the speculator, on the other hand, he is himself probably somewhat influenced by popular prejudice, and attributes undue importance to the influence of speculative transactions on the "spot" market.

M. B. HAMMOND.

UNIVERSITY OF ILLINOIS.

A Treatise upon the Law and Practice of Taxation in Missouri. By FREDERICK N. JUDSON, of the St. Louis Bar. Columbia, Mo., E. W. Stephens, 1900. — xiv, 358 pp.

In the conviction that "the law of taxation cannot be understood, even by lawyers, without knowledge of the recognized economic principles," and that "the confessed failure of the system in securing equality of taxation is not only for lawyers, but for all citizens, the most serious question of our time," Mr. Judson has made an exhaustive study — historical, legal and economic — of the Missouri system of taxation. The resulting volume will be a welcome addition to the growing series of monographs on the tax systems of particular commonwealths, and will be especially useful to lawyers whose clients pay taxes in Missouri. While it contains much of local and legal interest only, there are several chapters which may be read with profit by any student of taxation. Mr. Judson's claim that Missouri is the typical American state, "neither distinctively Northern, Southern, Eastern or Western," finds some justification in its composite system of taxation; for it is far enough south to have a well-developed system of privilege taxes, and far enough north to have borrowed some features from New England. It is interesting to find that the general property tax was not fully established until 1865, the earlier laws having enumerated the objects of taxation and fixed a rate separately for each. Until 1822 there was a tax on bachelors — not, apparently, for the encouragement of matrimony, but simply to

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reach the taxable faculty of a class of men who had no need of houses and lands. On the other hand, school taxes were levied only upon those who had children in school, and varied with the number of children sent. The present-day school tax in Missouri is the vehicle of democracy — albeit democracy with a property qualification; for the town meeting survives only in the district school meeting, at which the taxpayers determine the rate of the school tax, the length of the school year, *etc.*

The inevitable chapters on "The Failure of the General Property Tax" quote estimates from various sources to the effect that business real estate in St. Louis is assessed at from 24 to 42 per cent and residence property at from 66 to 88 per cent of its value; while the street railways, even when some attempt seems to have been made to tax more than the tangible property, were assessed at only 38½ per cent of their value and farm lands in the state as a whole at 35 per cent. This discrimination in favor of rural real estate, however, is probably more than offset by the failure to reach urban personalty. Forty-five per cent of the total assessment of personal property in St. Louis consists of property in the probate court; and securities disclosed by the probate records or otherwise are assessed at their full value and required to pay one-third, one-half or even two-thirds of the income in taxes. Mr. Judson draws a parallel between this tax on widows and orphans and the 40 per cent income tax which was thought to justify insurrection in Cuba.

The reforms definitely proposed by Mr. Judson are: more adequate judicial remedies for inequality of assessment; separation of the sources of state and local revenue, followed by an extension of local control over tax rates, assessments and bond issues; abolition of self-assessment; substitution of corporation and inheritance taxes for the direct taxation of personal property; and taxation of merchants and manufacturers on the basis of rent paid instead of on their own returns of stock and plant. He seems also to favor a partial income tax to reach incomes not derived from property, and apparently he would make rental the measure of this tax also. He would tax the special franchises of public-service corporations and put an end to the double taxation of mortgaged real estate; but he is opposed to the introduction of the California system forbidding the payment of the tax by the debtor, on the ground that it has failed of its purpose in California.

MAX WEST.

WASHINGTON, D. C.

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Le Travail, aux points de vue scientifique, industriel et social. Par André Liesse, Professeur d'Économie Industrielle et de Statistique au Conservatoire des Arts et Métiers. Paris, Guillaumin et Cie., 1899. — iii, 525 pp.

The professed aim of the author is to deal in a comprehensive way with the subject of "labor," focusing the light of special sciences upon the central sociological question of the functions, welfare and prospects of "the working classes." The title indicates the tripartite arrangement of the work. The "scientific point of view," a term of unduly modest implication for an economist to make use of, means that of the sciences of physiology and psychology mainly. First is discussed the human organism considered as a machine; then in turn the motives to effort, the generation of energy in the human body and the relation of mental to physical effort, to food and to the needs of industry. In Part II, "the economic and industrial point of view," are considered the division of labor and its concomitant, the concentration of industry, the duration of work and the eight-hour movement, the function of the entrepreneur, methods of industrial remuneration and industrial training. Part III, "the social point of view," is a discussion of competition and an argument for its necessity. After a foundation is laid on general principles of biologic evolution, the social conditions are described in which laborers find themselves competing: first, the environment of legal institutions growing out of public sentiment; then the material conditions influencing the competition of laborers, such as the standard of living, the rate of wages, strike funds and savings-banks deposits; and finally the influence and organization of the capitalists and entrepreneurs. In the last chapter are considered the tendencies as to the form of organization of industry and the improvement in the condition of the laboring classes.

This outline indicates, and not unfairly, the somewhat inorganic nature of the book. The eclectic method marks also the internal arrangement of the chapters; any interesting facts or observations which apply more or less to the subject are brought in. The padded and popular phrases call up memories of the lecture room at the *Conservatoire des Arts et Métiers* — the cold wind blowing outside, the motley crowd of listless auditors enjoying the warmth and the diagrams, the urbane professor endeavoring to keep his audience awake and nearly succeeding with his charm of manner, which must ever be the envy and despair of Americans. But diffuseness is not so charming on paper.

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It would be injustice to the ability of the author not to recognize in the work an essential unity of thought and purpose, other than that indicated in the title. It is his purpose to combat the teachings of socialism, to refute the crude error of undervaluing mental labor and the importance of the executive function in business, and to hold out hope to the laborer in the further development of industrial freedom. This unconfessed purpose determines his selection of materials and his method of presentation. Though the argument in the main will be trite to the economic student, many of the chapters are interesting, and the teacher of economics will find the book rich in illustrations and a convenient storehouse of materials to brighten the work of the class-room.

FRANK A. FETTER.

STANFORD UNIVERSITY.

Social Justice: a Critical Essay. By WESTEL WOODBURY WILLOUGHBY, Ph.D. New York and London, The Macmillan Company, 1900. — xii, 385 pp.

In this work Dr. Willoughby has written a conscientious and readable compendium of almost everything that has been said on the subject that is worth retaining. He is a transcendentalist, and the transcendental view of justice is given with great clearness and brevity, qualities for which transcendentalists are not always conspicuous. When, however, Dr. Willoughby undertakes to treat the problems of his subject from the point of view of evolution, he finds himself confronted by the same inextricable dilemma which rendered Huxley's Romanes lecture inconclusive: The competitive system is the system of the survival of the fittest; but the ethical system is the contradictory opposite of the competitive system; if to the competitive system man is by temperament unalterably committed, what is to become of the ethical system? Huxley smothered this awkward dilemma under a few well-turned sentences and well-selected quotations, which, while they "encouraged no millennial anticipations," lulled the conscience with the vague hope that "some work of noble note may yet be done."

Dr. Willoughby commits the blunder of attempting to suggest precise measures through which the problem may be solved. He is struck with the limitation of freedom attempted by such organized bodies as churches, labor unions, political societies and industrial combinations; so he bravely suggests that the state should check these attempts and desires state functions to be extended to this

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end; but he would not have them invade, or even threaten, the competitive system. Is this suggestion practical?

The struggle between the state, on the one hand, and the church and the "machine" on the other, is as old as civilization and is still enduring; that between the state and the trusts has just begun and promises well; but that between the state and trade unions is over — probably never again to be renewed. One is inclined to wonder whether Dr. Willoughby, in proposing to renew it, is familiar with the struggle through which trade unions have already passed — with the effort of Parliament in 1799 to check them and the success with which they came victorious from the struggle, at a time when legislatures were far more powerful and workingmen far less powerful than now. To ask the state to check the tyranny of trade unions to-day is to attempt to arrest the flight of Time by stopping the hands of the clock. The current is with the trade unions; the electoral body is behind them; to stimulate a new struggle is to foredoom the state to a still more crushing defeat.

At the beginning of the Christian era it doubtless seemed impossible to overthrow the despotism of the Roman Empire, and it was therefore the highest wisdom to bid the Pharisee "render unto Cæsar the things that are Cæsar's." So, to-day it may seem none the less impossible to get rid of the competitive system; and for many years, perhaps centuries, we may as regards competition have to obey the rule laid down to the Pharisee as regards his duty to Cæsar. But this is no reason why political students should deliberately confuse the issue, by attempting to ignore the irreconcilable conflict between competitive and ethical processes.

The essence of the competitive system is expressed in the words, "the Devil take the hindmost"; the task of justice is, on the contrary, to see that there be no hindmost, and if there be, to rescue him from the Devil and all his works. That justice may and does temper the consequences of competition, is undoubtedly true; but even Dr. Willoughby is obliged to admit that, as regards the majority, the task of justice remains unaccomplished.

> The bare struggle for existence [he says] to be sure still goes on to a very considerable extent among the lower wage-earning classes, and this unfortunately often approximates in severity, cruelty and wastefulness, the competition of the sub-human régime [p. 289].

"Severity, cruelty and wastefulness" are necessary features of competition; without them competition does not accomplish the

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"adaptation of function to environment," which Dr. Willoughby declares the special task of competition. But he seems to take for granted that competition is the only process through which adaptation of function to environment can take place; he ignores the amazing power man has developed for creating his own environment; so that, whereas prior to the advent of man environment was king, since the advent of man, through his control over the environment, man has become king. And so it may become possible for man to create an environment from which the necessity for competition in the production and distribution of necessaries can be eliminated, the manufacture of prostitutes, paupers and criminals arrested, and the task of justice in some measure accomplished. This is a solution of the apparent conflict between the cosmic and the ethical processes which has the advantage of reconciling evolutional philosophy with that of transcendentalism. Under this solution the mandate of the environment becomes the same as that of the divine imperative.

When Huxley pointed out the conflict between the cosmic and the ethical process, he made no effort to reconcile the lessons to be drawn from evolution with the task of justice. He contented himself with proving his case; then shook his head sadly and bade us, notwithstanding, hope, for we had nothing else to do. Dr. Willoughby is less discreet; for he assumes that competition is an indispensable factor of human evolution and, in the teeth of Huxley's demonstration that, if it be, there is no reconciliation between evolution and justice, proceeds to suggest alleviations and palliatives which have already proved vain. It is much wiser to put this assumption of the indispensableness of competition to the test; for, if we do, the inconsistencies which mar Dr. Willoughby's conclusions vanish.

Frankness compels us to admit that justice cannot be reconciled with competition. But this admission, far from involving pessimism, will lead us to a most hopeful conclusion; for it will contrast for us human or artificial evolution with præ-human or natural evolution, and enable us clearly to see that, while natural evolution tends to proceed blindly towards the enhancing of competition, human evolution on the contrary has proceeded, and seems destined in future to proceed, in the direction of the diminution and elimination of it. Justice will, under this view, stand, not as an irrealizable ideal outside the path of human evolution, but as an approximately realizable consummation, and as the goal towards which human evolution is to-day consciously directing itself.

EDMOND KELLY.

PARIS, FRANCE.

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First Principles in Politics. By WILLIAM SAMUEL LILLY. New York, G. P. Putnam's Sons. London, John Murray, 1899. — 322 pp.

At the outset of this work Mr. Lilly defines his general position, by declaring that politics should properly be regarded as a branch of ethical science. He asserts his belief in the existence of a universal system of natural law, as "the ideal type to which positive law should ever more and more approximate." He believes in the existence of a body of natural rights under this natural law and inherent in all that possesses the quality of "personality." These rights do not, however, necessitate the formation of a social contract as the foundation of a state; on the contrary, Mr. Lilly is ready to accept the Aristotelian conclusion that "man is by nature a political animal." The state is characterized as a "natural entity," but it is also an "ethical entity"; it is an organism, and endowed with personality, as the bearer of rights and duties. The end of the state is found to be "the development of its own personality and of the personality of its subjects under the law of Right" — the author's paraphrase of Aristotle's εὖ ζῆν. Throughout his treatment of the problems of theoretical politics Mr. Lilly is constantly confused by his failure to separate politics from ethics. Thus, we read that the individual has rights, that the state has rights, and that all of these are held under the "ethical law of Right." One longs for some mark of distinction between the rights that are ethical and those which are political in character.

The more concrete side of politics is also approached in the course of the author's discussion of *First Principles*. Mr. Lilly is particularly vigorous in the denunciation of "false democracy," by which he means the democracy in which the voting power of men is equal. Far superior to this is such a "representation of interests" as was seen in England before 1832 — as much superior as "organic unity" always is to "atomistic uniformity." Universal suffrage would naturally seem inadvisable to one who considers the mechanic or the agricultural laborer "as truly a mere animated tool as the slave in Aristotle's time" (p. 220). Almost every topic of public policy is given more or less extended consideration, and the book closes with a chapter on "the Sanctions of the State" — an inquiry into the philosophy and practice of applying the power of the state in the treatment of crime.

On the whole, one can scarcely rank Mr. Lilly's work as an adequate treatment of the first principles of politics. About all that is said in his discussions has been said many times before and many

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times better. The theory expounded is deduced from that of Hegel, Trendelenburg and T. H. Green ; while in the discussion of more practical problems the author is a disciple of Lecky. As a strictly scientific treatise, the volume has hardly the height, depth or breadth that the student of politics is entitled to expect.

UNIVERSITY OF CHICAGO. C. E. MERRIAM, JR.

Political Theories of the Middle Age. By DR. OTTO GIERKE. Translated, with an introduction, by FREDERIC WILLIAM MAITLAND. Cambridge, The University Press; New York, The Macmillan Company, 1900. — lxxx, 197 pp.

One would hardly have conjectured, *a priori*, that Professor Maitland's next literary achievement would be a mere translation, and particularly a translation dealing, not with law, but with political theory. The Downing Professor of the Laws of England is not, however, from the standpoint of English legal traditions, a predictable phenomenon. He and his distinguished collaborator, Sir Frederick Pollock, have broken clean away from the ancient ideals and have sought for light on English jurisprudence in places abhorrent and inconceivable to the old-time professors of law. Political philosophy and Roman law have been very diligently explored, and the work of continental jurists and historians, in general so despised by English and American lawyers, has been fruitfully examined. Knowing all this, one would have guessed that Maitland would find something more profitable to do than translating Gierke ; but the volume at hand demonstrates that Maitland's judgment as to what to do, and particularly as to how to do it, is unimpeachable as well as unpredictable.

To the few students who have taken interest in the history of political theories Gierke's work in that field is familiar. His research has extended to the most obscure times and places and thinkers of medieval and modern Europe, and his pains to ferret out the uttermost shade of variation in the evolution of every concept have been amazing. But all his erudition and industry have had for their objective, not history or politics as such, but a theory of law ; and, again, not a theory of law in general, but a theory of one particular concept of legal science — namely, the corporation, or, to use the term by which Maitland translates *Genossenschaft*, the "fellowship." Gierke is professor of law at Berlin, and his *magnum opus* is *Das deutsche Genossenschaftsrecht.* One section of a chapter in the third

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volume of this work is what Maitland has translated. But though it is so small a fragment of the whole, it is quite adequate as a view of medieval political theory — a fact that is a sufficient indication of what Gierke's work involves.

As to the translation proper, little need be said. Very likely it will be read by few persons who would not read the German original. But the great justification for the volume is Professor Maitland's "Introduction." His eighty-page essay is one of the most delicious bits of literature that has ever been put forth under the guise of juristic science. It compares most favorably with those breezy essays in which Ihering gambols lightly among the dignified concepts of continental jurisprudence. Maitland's task is to explain to English readers just what Gierke and his *Genossenschaftstheorie* signify in the history of legal science. The task is accomplished in such a way that the veriest tyro in law may understand. And incidentally the salient characteristics of German philosophy are hit off in the happiest manner, as by one who, even while he fully appreciates their usefulness, cannot escape the feeling that they should not be taken too seriously.

That the theory of Gierke has a very wide application could scarcely be more impressively stated than in these sentences:

> Let us try to imagine — we are not likely to see — a book with some such title as English Fellowship Law, which in the first place described the structure of the groups in which men of English race have stood from the days when the revengeful kindred was pursuing the blood feud to the days when the one-man-company is issuing debentures, when parliamentary assemblies stand three deep above Canadian and Australian soil and "Trusts and Corporations" is the name of a question that vexes the great Republic of the West. Within these bounds lie churches, and even the medieval church, one and catholic, religious houses, mendicant orders, nonconforming bodies, a presbyterian system, universities, old and new, the village community which Germanists revealed to us, the manor in its growth and decay, the township, the New England town, the counties and hundreds, the chartered boroughs, the gild in all its manifold varieties, the inns of court, the merchant adventurers, the militant "companies" of English condottieri who returning home help to make the word "company" popular among us, the trading companies, the companies that become colonies, the companies that make war, the friendly societies, the trade unions, the clubs, the group that meets at Lloyd's Coffee-house, the group that becomes the Stock Exchange, and so on, even to the one-man-company, the Standard Oil Trust, and the South Australian statutes for communistic villages.

Obviously the *Genossenschaft* is no narrow concept, and the study

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of its historical and logical evolution no task for the frivolous. On what theory the phenomena of this very complex idea shall be explained has been, Professor Maitland shows, a topic of age-long controversy; and he sets forth in his lucid and delightful way the fictitious-person theory, and the real-person theory, and the no-person-at-all theory, and the broader philosophical bearings of each. The relation of it all to political science is seen in the contract theory; and here occurs the characteristic comment of Maitland: "Contract, that greediest of legal categories, which once wanted to devour the state, resents being told that it cannot painlessly digest even a joint-stock company." And a little further on all the most striking features of German jurisprudence — systematic, historical and controversial — are suggested in a single sentence, when, speaking of the endeavor of Gierke to devise a new theory, he says:

> The new theory was to be philosophically true, scientifically sound, morally righteous, legally implicit in codes and decisions, practically convenient, historically destined, genuinely German, and perhaps exclusively Germanistic.

WM. A. DUNNING.

L'Expérience des peuples et les prévisions qu'elle autorise. Par ADOLPHE COSTE. Paris, Félix Alcan, 1900. — 648 pp.

This is the second part of *La Sociologie objective*, the first part of which was noticed in these pages a year or so ago. The first part seemed to have no definite reason for being; but it now appears from the second part that M. Coste's aim has been to lay the foundations for a *sociometrie*, or measurement of social power. He thinks that a mistake has been made hitherto in comparing the relative power of nations in terms of soil, climate or race, or even in terms of absolute population. The comparison, he thinks, should take account of the concentration of population in capital cities and other urban aggregates. M. Coste's method is as follows: Constructing a table containing the absolute population of each of the great capital cities of the world, he puts the population of Paris equal to the index number 100. The index number for London is then found to be 175; for Berlin, 66; for Washington, 9. In a second table M. Coste arranges the total absolute populations living in each country, in cities of fifty thousand or more inhabitants. Putting this city population of France equal to 100, he finds the corresponding index number for Great Britain to be 281; for the United States, 279; for Germany, 201. In a third table he arranges the

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total absolute populations of each country living in aggregates of less than fifty thousand inhabitants each or dispersed in rural settlements. Again putting this population for France equal to 100, the corresponding figure for the United States is found to be 138; for Germany, 133; for Great Britain, 76. Now, taking the geometric mean of the three index figures thus obtained for each nation, M. Coste gets a final set of index figures. France still remaining 100, Great Britain's figure is 155; Germany's, 121; the United States', 74. These figures M. Coste calls indexes, or measures of power.

So far the thought is clear, whether or not we accept it. But a little further on (p. 605), M. Coste offers us the formula "power equals population multiplied by sociality," and by sociality he means organization. If, then, we compare this equation with the index number tables, it is evident that M. Coste identifies organization with the concentration of population in cities, and especially in capital cities. This is certainly a most naïve assumption, and one which, perhaps, could not be made by any human being outside of France. It utterly ignores that major organization of an entire population, whether urban or rural, which has been effected in modern times by the newspaper, the telegraph and telephone, and the railroad. With modern means of communication, it is of little importance that Washington is two hundred miles from New York and eight hundred miles from Chicago. Both cities can talk with the capital over the wire with less expenditure of time than it takes to get from one government building to another in Paris. If M. Coste will devise some statistical means of measuring this most important mode of social organization and make the necessary correction in his index numbers, he will probably experience a sensation as he discovers where the United States stands in the final list.

Even when thus corrected, however, M. Coste's index figures will not really measure national power, if he persists in ignoring natural resources and racial qualities, including vitality. Given nations whose index numbers, as obtained by M. Coste's method, happened to be equal, one might be indefinitely superior to the other, because of greater resources to draw upon, because of greater physical endurance or because of greater force of character.

FRANKLIN H. GIDDINGS.

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BOOK NOTES.

In his *Studies: Scientific and Social* (New York, The Macmillan Company, 1900. — 2 vols.: xv, 532 pp.; vii, 535 pp.), Mr. A. R. Wallace has given us practically a summary and review of the most important conclusions of nineteenth-century science, including astronomy, geology, biology, anthropology, ethnology and sociology. As an original investigator the author shares with Darwin the honor of the independent discovery of the law of natural selection, and in literary qualifications he is not least among the remarkable Englishmen who gave a unique distinction to the Victorian age by their power to present the weightiest scientific truths with that charm which wins the attention of a great public. It is hardly too much to say that not one of the essays included in these two volumes is unimportant to students of the social sciences; for even the geological papers will rectify preconceived ideas of the relations of physical environment to social evolution. No student of history or of politics can afford to neglect the anthropological and ethnological papers. Especially to all who are interested in America's position in the Far East does this warning apply, because no other observer is quite so competent as Professor Wallace to write wisely of questions arising in the Malay archipelago. We would especially commend to the attention of all missionaries and colonial administrators the paper entitled "How to Civilize Savages." It is well known that Professor Wallace has been as deeply interested in great social questions as in the problems of natural science. More than one-half of the second volume is devoted to a discussion of questions of social justice. Nowhere else will the reader find the argument for land nationalization, for the public ownership of natural resources and of great corporate enterprises, and for the equalization of economic opportunities, so temperately, so reasonably and, on the whole, so ably presented as in these pages.

A thoroughgoing and suggestive discussion of the relative influence of physical environment, heredity and the historical transmission of acquired culture is found in *Les Facteurs de l'évolution des peuples*, translated from the Italian of Dr. Auguste Matteuzzi (Bruxelles, Mayolez & Audiarte, 1900. — 441 pp.). Dr. Matteuzzi attaches less importance than did Buckle to the original fertility of the soil, and

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far more importance to telluric conformation. He discusses at length the psychological and cultural factors of social evolution and examines with much care the conditions of social dissolution. It is interesting to see that his general conclusion is in close agreement with the views which Mr. Brooks Adams has put forth in this country, in his works on *The Law of Civilization and Decay* and *America's Economic Supremacy*. Social plasticity is essential to continuing social evolution, and plasticity can be preserved only by holding fast to the great principle of decentralization, or local self-government.

There is nothing really new in the thought that the history of religions may best be interpreted in sociological terms. Nearly every scholar in the field of comparative religions has felt the necessity of examining the relation between prevailing beliefs and the existing social system. Definite attempts in this direction were made by the lamented Robertson Smith, *Religion of the Semites*, and by Mr. Spencer, in that division of his sociology which deals with the evolution of ecclesiastical institutions. A further attempt we have in *Des Religions comparées au point de vue sociologique*, by Raoul de la Grasserie (Paris, V. Giard & E. Brière, 1899. — 396 pp.). The author has seized upon the conception of religion as a social bond and has developed it with ability in a discussion which throws new light upon the problems of both comparative religion and sociology. From the religious point of view, M. Grasserie distinguishes societies as "internal" religious societies, "external" religious societies, "inter-divine" societies and "intra-divine" societies. The intra-divine is the association of two or more personalities in one divine being, *e.g.*, the Trinity. The inter-divine is a society of gods, or of demons, or of divine men, or of gods and demons and divine men. Internal religious society is the purely spiritual association of ordinary men and gods — that is to say, worship. External religious society is the ecclesiastical organization, the church.

The woman question, according to M. Jacques Lourbet, *Le Problème des sexes* (Paris, V. Giard & E. Brière, 1900. — 301 pp.), comprehends two parts. The first is an inquiry whether experimental psychology must declare that the evolution of woman is already terminated or that it may be indefinitely continued. The other is an examination of the existing status of woman and of the possibility of her domestic, economic, civil and political enfranchisement. M. Lourbet finally sifts all these questions down to the problem of education, thereby showing his penetration and good sense. The latter quality he further shows in his conclusion that the education which is needed

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is that which shall continue and never attempt to oppose a further differentiation of the sexes; having regard always to the preservation of grace, taste, elegance and beauty, and above all to maintaining in the world at large an ample measure of the *joie de vivre*.

The admirable *L'Année sociologique*, published under the direction of Professor Émile Durkheim, has reached its third volume (Paris, Alcan, 1900. — 618 pp.), which contains the sociological summary for the calendar year 1898–1899. The work includes Part I, Original Memoirs: "Le Sol, la société et l'état," by F. Ratzel; "Les Crises sociales et la criminalité," by G. Richard; "Classification des types sociaux," by M. Steinmetz; and Part II: Analyses of sociological books, general, religious, moral, juristic, criminological and economic, from July 1, 1898, to June 30, 1899.

Vol. VI of the *Annales de L'Institut International de Sociologie*, published under the direction of the general secretary, M. René Worms (Paris, V. Giard & E. Brière, 1900. — 320 pp.), contains the proceedings of the Institute for the year 1899. The papers published in full, or substantially in full, are: "La Sociologie glottologique," by Achille Loria; "Notions fondamentales de sociologie pure," by Ferdinand Toennies; "L'Individu et la collectivité," by René Worms; "Nietzsche et l'individualisme," by R. Garofalo; "Le Droit comparé et la sociologie," by Maxime Kovalewsky; "De la Théocratie," by Raoul de la Grasserie; "La Sociologie Américaine contemporaine," by A. Groppali; "Petit Commerce, grands magasins et sociétés coöperatives," by Albert Jaffe; "Le Mouvement de l'humanité," by F. Puglia; "Des Connaissances," by W. Tenicheff.

Of all the books on slums and slumming, tenement houses and their social conditions, none is more interesting and none more valuable, whether from the point of view of analysis or from that of helpful suggestion, than the little volume of essays which Jacob A. Riis has brought together under the title *A Ten Years' War* (Houghton, Mifflin & Co., 1900. — 267 pp.). It is the story of a long battle with the slum in New York, and into it Mr. Riis has put both the wisdom gained from prolonged study of conditions and the vital sympathy which is so characteristic of his personality and his work. Among the papers are two on the tenement house and the possible remedies for its evils, which are among the sanest discussions of this topic anywhere in print. The origins of the most characteristic methods of Tammany politics are vividly shown in the paper on "The Genesis of the Gang."

Mr. John Jay Chapman is a reformer of the uncompromising sort

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who enjoys the distinction of style. Reformers with convictions are often interesting but not always worth reading. Mr. Chapman is always worth reading, even when his methods, apart from his style, would be quite without drawing power. *Practical Agitation* (New York, Charles Scribner's Sons. — 175 pp.) has not quite the charm of the author's *Emerson and other Essays*, but it is keen, clean-cut and, as nearly as possible, a refutation of Mr. Chapman's own remark, that "it is easier to start a reform and carry it through than it is to explain either why or how it is done." The successive chapters of the book deal with the psychological and ethical phenomena of politics in a manner whose originality all qualified readers will at once acknowledge. Especially is this true of the chapters on the "Masses" and "Literature." Most of the book is paradox and dream, but then, "do we not live in dreams?"

A convenient and useful review of the progress of liberty in the nineteenth century will be found in a volume of 257 pages by Frederick May Holland, whose important work on the rise of intellectual liberty, published many years ago, is favorably known. The present volume, *Liberty in the Nineteenth Century* (New York, G. P. Putnam's Sons, 1899. — xi, 257 pp.), the author says is the result of having studied the development of political and religious liberty for forty years; to which we may add that it is even more the result of long personal association with a group of writers who made famous that redoubtable organ of intellectual radicalism, the old Boston *Index*. Scholars and general readers will find no better account of the abolition and emancipation movements, the transcendental movement and the free religious movement, as seen from the radical view-point, than in Mr. Holland's pages.

Books on individualism would be better worth while, if they were more scholarly and less opinionated. Carefully sifted and well-arranged facts are likely to produce a deeper impression than over-energetic arguments. The right sort of book could have been written by James Carmichael Spence, because for many years he has diligently studied the English statutes from the earliest period, to ascertain why each was enacted, what effect it produced and, if repealed, for what reason. His pronounced individualism has been confirmed by this work, and in *The Conscience of the King* (Swan Sonnenschein, 1899. — 280 pp.) he has attempted "by numerous examples to show why legislators are so frequently malefactors, and to show how, by a little careful consideration, they could conform in their political conduct to the ordinary standards of sane and

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conscientious men." Notwithstanding Mr. Spence's good intentions, the examples are not sufficiently numerous, and references to the sources are for the most part omitted; while the space that should have been given to them is occupied by argument, which Mr. Spence never fails to drop into, whenever a first-class opportunity offers for letting the facts tell their own story in a much more forcible way.

An interesting discussion of the present moral condition of French justice (a collocation of words which, unfortunately, is not tautological) will be found in *La Justice sociale*, by Professor F. Dugast (Paris, V. Giard & E. Brière, 1900.—71 pp.). M. Dugast's question is the old one, How can law and the courts be made to formulate and to maintain that essential justice which is the foundation of political society? The interest of this brochure lies especially in its concreteness.

After the lapse of seven years, Professor Pöhlmann has presented us with a second volume of his *History of Ancient Communism and Socialism* (Munich, Beck, 1901.—617 pp.), of which the first volume was reviewed in this QUARTERLY (X, 156). Over two-thirds of the work is devoted to Greece. The chapters on the political romances add little to our knowledge, although they discuss in somewhat greater detail the works of Theopompus, Hecatæus, Euhemeros and Iambulos. Of considerably more interest to economists are the chapters on the social democratic movement itself. Professor Pöhlmann does not agree with Prof. Georg Adler, the recent historian of socialism and communism, that there was no socialistic movement in Greece. Although there was, indeed, no factory system, Pöhlmann maintains that the evils of capitalism —even though it was commercial, and not industrial, capitalism— were none the less crying than in modern times; and he traces in great detail the genesis and development of the conflict of social classes in Athens, as well as in the other Hellenic states. In bringing out into bold relief the economic cause of the various political revolutions, Professor Pöhlmann has made no mean contribution to the economic interpretation of history, which will have to be reckoned with by all future writers. The second book, on Rome, deals with matters which have been made more familiar by a long list of writers, but even here the researches of the learned Erlangen professor have been able to throw light on some dark corners.

The attention devoted by the younger school of economists of France to the literary history of the science in their own

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country has borne fresh fruit in the work of M. J. Desmars, entitled *Un Précurseur d'A. Smith en France, J.-J.-L. Graslin (1727–1790)* (Paris, L. Larose, 1900.—244 pp.). Graslin is known chiefly because of his *Essai analytique sur la richesse et sur l'impôt*, published in 1767. This was written in competition for a prize, offered by a French society, for the best work which should discuss the effects of indirect taxation. The funds were provided by some of the physiocrats, and the first prize, as is well known, was awarded to one of the physiocratic writers. Graslin opposed their system *in toto*, yet his work was so able that it extracted from the committee an honorable mention. M. Desmars does well to recall to us all the circumstances of the time, and gives an account of the author's life, with a careful analysis of his work. While we may not agree with him in ascribing so much merit to Graslin, whose attack on the physiocrats was thrown into the shade by the appearance soon after of the *Wealth of Nations*, it is well to recall, as does the author, some of the real contributions of the eighteenth-century Frenchmen, outside of the "Économistes," to economic science.

The History and Growth of the United States Census, by Carroll D. Wright and William C. Hunt (Washington, Government Printing Office, 1900), is a valuable public document giving an exhaustive history of each of the censuses, the scope of the inquiries, the form of schedules and instructions, the laws authorizing each census, total and per capita cost of different censuses, and a list of publications. The history is not only chronological, showing the growth from one census to another, but also topical, showing when each subject (*e.g.*, agriculture) was taken up and how it expanded. The authors add incidentally a great deal of information in regard to census methods, so that the whole will take rank as an authoritative source of information concerning this important public enterprise.

The Report on the Census of Cuba, taken under the direction of Lieut.-Col. J. P. Sanger, with the assistance of Henry Gannett and Walter F. Willcox, statistical experts (Washington, Government Printing Office, 1900), is much more than a mere census of the people. It gives a description of the island, a history of discovery, an account of political movements down to the present military government of the United States and a description of the political organization. The statistical part analyzes population according to number, density, sex, age, nativity, marital condition, literacy, occupations, citizenship, *etc.* It is noteworthy for its scientific carefulness and elaborateness. Under the head of marital condition, for instance, it is shown that

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15.7 per cent of the total population were lawfully married and that 8.4 per cent were living together as husband and wife by mutual consent. These two classes are studied for the different provinces and cities, by sex, age and race, and comparisons are made with the United States and with Porto Rico. The authors seem sure that the enumeration was sufficiently accurate. If so, the whole study is of value, not only for Cubans and for the people of the United States interested in Cuba, but for all interested in the study of vital and social statistics. Messrs. Gannett and Willcox are to be thanked for the character of this piece of work.

The United States Industrial Commission has published during the past few months no less than five reports. One of these, the *Report on Trusts*, was noticed in this QUARTERLY (XV, 547). Vol. II contains the statutes and decisions, federal, state and territorial, together with a digest of corporation laws, applicable to large industrial corporations. The fourth volume, of over eight hundred pages, deals with *Transportation*, containing not only the testimony but a well-written review and an admirable topical digest of the evidence, prepared by Prof. E. Dana Durand. As the investigation is not yet complete, the report is confessedly preliminary; but in its present shape it contains an invaluable arsenal of facts on almost every phase of recent transportation topics. Vols. III and V deal respectively with *Prison Labor* and *Labor Legislation*. The former contains a good account of the systems in force in various states, and makes recommendations for reforms of a fiscal and social nature. The New York system is held up as a model in many respects. The *Report on Labor Legislation*, while also preliminary in character, includes an excellent digest of all existing statutes, prepared by Mr. F. J. Stimson.

In the *Annals of an East Anglian Bank* (Norwich, A. H. Goose, 1900. — 399 pp.) Mr. W. H. Bidwell has put together an interesting account of the history of the institution which later developed into the important house of Overend, Gurney & Co. Incidentally, the work throws some light on rural banking during the eighteenth and nineteenth centuries. It contains sketches of the chief personalities connected with the financial interests of East Anglia, among others one of Mr. R. H. I. Palgrave, the editor of the *Dictionary of Political Economy*. The book will appeal to a wider circle of readers than merely those interested in the financial affairs of the district.

The third volume of the collection of Léon Say's writings and speeches on French finance (*Les Finances de la France sous la*

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Troisième République. Tome troisième: *La Politique dans les finances.* Paris, Lévy, 1900. — 696 pp.), of which the earlier volumes were noticed in this QUARTERLY (XIV, 181 and 565), is entitled "Politics and Finance." It covers the period 1884 to 1896 and contains, in addition to a short introduction by the editor, André Liesse, a number of interesting documents and speeches, of which the most important deal with questions of taxation, the rechartering of the Bank of France, the connection between the treasury department and the stock exchange, and the details of the budget. The editor promises a fourth and concluding volume, which is to be devoted to the customs revenue and to the problems of socialism.

The increasing importance of the problems of local finance has led the continental economists to take up in some detail the problem of special assessments, in theory and in practice. Two recent works — a German book by Robert Hallgarten, entitled *Die kommunale Besteuerung des unverdienten Wertzuwachses in England* (Stuttgart, 1899. — 171 pp.), and a Dutch monograph by F. Sleutelaar, entitled *Belasting van Waardevermeerdering* (Groningen-Scholtens & Zoon, 1900. — 352 pp.) — have treated the subject with a wealth of detail not to be found in other works. Both pay considerable attention to recent discussions of the subject in America and make a distinct contribution to our information on recent European development.

In Germany, as in other countries, there has existed for some years an association for the defense of the gold standard. Now that the acute contest is over, for a time at least, the association has decided to issue a number of larger works, promising, among others, a continuation of Soetbeer's *Materialien;* an account of currency reform and currency conditions in the United States, Russia and India; a discussion of bimetallism and agriculture; a volume on money and prices; as well as a book on the organization of banks of discount and issue. The first volume of the series is devoted to the speeches and essays of Ludwig Bamberger, and is edited by Prof. Karl Helfferich, under the title *Ausgewählte Reden und Aufsätze über Geld- und Bankwesen* (Berlin, Guttentag, 1900). In an introduction of one hundred and sixty pages the editor discusses the career and the theories of Herr Bamberger, while the body of the book is divided into two parts — the one, from 1861 to 1878, devoted to the problem of the reform of the German coinage, in which Herr Bamberger took a leading part, and the other, from 1879 to 1899, dealing especially with the problems of bimetallism. Not the least interesting of the articles is that on "The Decisive Battle of November

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3, 1896," — referring, of course, to the presidential election in the United States. Herr Bamberger was such an erudite, vigorous and incisive writer that the influence of his essays on the wider scientific public will be no less strong than was that of his speeches on his native country. The Gold Standard Defense Association of Germany deserves our thanks for this admirable volume.

Students of economic history will be interested in the learned work of Gustav Billeter on the history of the rate of interest in classic antiquity (*Geschichte des Zinsfusses im Griechisch-Römischen Altertum bis auf Justinian.* Leipzig, Teubner, 1898. — 369 pp.). This is essentially a learned investigation, with no pretensions to style, and will be used primarily as a work of reference; but, as such, it is unquestionably the most extensive and important work on the subject. Dealing in detail with the inscriptions and documents from the earliest times to the middle of the third century in Greece and to the middle of the sixth century in Rome, the author discusses the subject chronologically and, within each period, topically, taking up in turn the rate of interest on good security, on marine loans, on public debts and on usurious contracts, closing in each case with a discussion of the legislation on the subject.

Mr. William Miller Collier's somewhat discursive and declamatory book, *The Trusts* (New York, The Baker & Taylor Company, 1900. — vi, 338 pp.), is unfortunate in coming after Professor Jenks's thorough and enlightening book on the same subject which we noticed in the last number of the QUARTERLY. Mr. Collier is very much impressed by the magnitude of the problem which has sprung up, he says, since 1897. "There cannot be any doubt," he says, "that the trusts are filled with great dangers to our industrial, social and political system. To say that these dangers are 'awful' is no misuse of the word." He recognizes, however, the advantages of mammoth business organizations; but thinks that in order to obtain the most that can be obtained from trusts, we must guard against their becoming monopolies. The remedy seems to be publicity and laws doing away with special privileges, such as tariff protection, railroad discriminations, *etc.*, with legislation preventing unfair or "cut-throat" competition. "In fine, withdraw every special privilege and leave the way open for a free fight and a fair field."

The question of the coal supply and its effect upon English prosperity has often been discussed, but never so fully as in the recent book by M. Ed. Lozé, *Les Charbons britanniques et leur épuisement* (Paris, Béranger, 1900. — 2 vols., 1192 pp.). M. Lozé

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divides his work into four parts, the first containing general considerations of a geographical and geological nature, accompanied by statistics, historical and current, of coal production. The second part gives a detailed account of the sources of the coal supply, not alone of England, Wales, Scotland and Ireland, but also of the various British colonies. Part Third, of about three hundred pages, deals with the industrial and commercial geography of the question, and Part Fourth takes up the general problem of the possible exhaustion of the coal supply. Appendices of several hundred pages contain additional statistics, including general remarks on the colonial system of Great Britain, as well as on the navy and the army. It will be seen from this table of contents how far superior in design to Jevons's book is that of M. Lozé. His conclusion is that England's whole industrial and commercial preëminence depends upon her coal supply, and that we may expect to see a sensible decline in the output between 1950 and 1960. Until that time she will retain, if not a monopoly, at all events the chief place in the world's industry and commerce; but by the middle of the century she will be overtaken by other nations, including the United States, and her commercial supremacy will end. M. Lozé's work is accurate and dispassionate, and deserves to be translated into English.

In a magnificent folio volume, printed on fine paper, with wide margins and many illustrations, M. Jules Hélot, honorary secretary of the French sugar trust — or, rather, of the union of sugar producers — has published a monumental work on beet sugar, entitled *Le Sucre de betterave en France de 1800 à 1900* (Cambrai, Deligne, 1900. — 214 pp.). The work takes up not alone the agronomic questions, but also the technical part of the subject, and contains a consideration of the legislation on the sugar question in France during the whole of the nineteenth century. The practical object of the book is to persuade the legislature that the French tax on sugar, which yields about two hundred million francs, — that is, one-eighteenth of the entire state revenue, — and which amounts to an impost of two hundred per cent on the intrinsic value of the commodity, is illogical and indefensible. The author refers to ninety-eight laws, decrees and ordinances promulgated during the last century on the sugar question in France. Incidentally, M. Hélot throws much light on the sugar problem in other countries, as well as on the history of industrial combination in general.

Rural Wealth and Welfare, by George T. Fairchild (New York, The Macmillan Company, 1900. — 381 pp.), is the result of more

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than thirty years' experience in adapting the principles of economics to students in the agricultural colleges of Michigan and Kansas. A large amount of economic wisdom current among American farmers finds expression through the book, which also abounds in suggestions, such as this: "It seems possible that a body of business farmers, subject as they are to so many disasters from weather, insects and contagious diseases of stock and vegetation, might devise methods of equalizing and diminishing the disaster from such losses in a common system of insurance" (p. 230). The effect upon prices of fluctuations in supply is shown by a number of statistical charts. The author confines himself to a statement of elementary economic principles. Wealth is treated as one of four elements in welfare, the others being health, wisdom and virtue. The departments of production, distribution and consumption are retained. The two phases of exchange — value and the interchange of commodities — are treated under production. Government expenditures find a place under consumption.

In the *Conquest of Arid America* (Harpers, 1900. — 319 pp.) Mr. William E. Smythe has given a lively description of the irrigation problem. The second part, on the real Utopias of the arid West, contains a good account of the effects of irrigation in the Mormon commonwealth, in the Greeley colony of Colorado, in southern California and in Kansas. The possibilities that still await many of the western states are sketched in glowing colors. The book contains a number of useful maps and interesting illustrations, and is calculated to arouse interest in an important movement.

Nearly fifteen years have now passed since the British Board of Trade began the publication of annual reports on strikes, lockouts, trade unions, *etc.*, which were subsequently continued and vastly enlarged by its branch, the Labor Department. Its annual publications, combined with the exhaustive reports of the Royal Commission on Labor (1891–94), constitute almost unrivalled sources of information on burning social questions of the hour. They have now been utilized by a Saxon official, Hans von Nostitz, in the preparation of a valuable "contribution to the social history of the present time," under the title *Das Aufsteigen des Arbeiterstandes in England* (Jena, G. Fischer, 1900. — xxiii, 808 pp.). The author's theme is the material and intellectual progress of the English working classes, which he traces through the steady democratization of government, extension of the public-school system, rise of wages, growth of trade unions, friendly and coöperative societies, *etc.* He has made free

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use of the works of Von Gneist, Heed, Giffen, Webb, Roussiers and Charles Booth, as well as the official reports above mentioned. The result is an eminently sane, impartial and well-balanced account of very important social movements. Herr von Nostitz concludes (1) that the Marxian theory of a vast proletariat without hope of improvement is disproved by the existence in England (the classic land of machinery and capitalism) of three classes of machine operatives, — a higher class of mechanics, not far removed from the professional and business men of the middle classes, a middle and a lower class; (2) progress is slow but general, and participated in by all classes, so that hope nerves the most unfortunate to continued effort; (3) the economic motive is not the sole cause of progress, but is only one of several motives. Thus, contrary to the materialistic conception of history taught by the socialists, the "progress of the working classes has been accomplished not indeed without class conflicts, but not entirely or even predominantly through such conflict."

The significance of Mr. F. L. Hoffman's *History of the Prudential Insurance Company of America* (Newark, the Prudential Press, 1900. — 380 pp.) for the student of economic institutions lies in the fact that the growth of this company has been closely identified with the history of industrial insurance of the United States. As regards the striking development of this agency for the encouragement of thrift among the working classes, Mr. Hoffman's book gives many interesting facts for both the period (since 1875) covered by the life of this company and also the half century of discussion and experiment which came before. Unfortunately for the student and the "general reader," the author hardly succeeds, despite his evident desire to be impartial, in his attempt to give us an adequate history of industrial insurance in general, while advancing the interests of the company by which he is employed. Nevertheless, his book contains much suggestive discussion of the social functions of this system, of the practical difficulties to be faced by the managers and of the charges which have been brought against the current methods of management. The work is of peculiar interest because of the author's optimistic faith, based on years of experience in the agency field, in the power of self help for the masses and because Mr. Hoffman makes this volume an earnest of a "larger and more complete work on industrial insurance in this and other countries."

Mr. Henry Demarest Lloyd has put together some of the results of his recent visit to Australasia in *A Country without Strikes* (New York, Doubleday, Page & Co., 1900. — 183 pp.). It contains a

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well-written account of the compulsory arbitration court of New Zealand, of which so much has been written in recent years. Mr. William Pember Reeves, ex-minister of labor in New Zealand and author of the law, furnishes a short introduction which is quite as optimistic as the body of the work itself. The real secret of the success of the movement is summed up by Mr. Lloyd in the sentence, "Compulsory arbitration has been a success in New Zealand because the people want to arbitrate" (p. 114). In other words, until there exists in any country a public sentiment which is quite ripe, legislation itself is of no avail. Books like this of Mr. Lloyd will help to educate the public sentiment in favor of industrial peace.

William Stebbing, in the volume entitled *Charles Henry Pearson, Fellow of Oriel and Education Minister in Victoria* (Longmans, 1900. — 320 pp.), has edited Mr. Pearson's memoirs of himself, together with various reminiscences contributed by friends and associates of Mr. Pearson during various periods of his life. In the autobiographical chapters are many shrewd observations respecting prominent characters and interests within and without England during the latter half of the nineteenth century. The incidents of Mr. Pearson's Australian career have been presented mainly by his wife and by the editor of the volume. This is certainly one among the rapidly growing number of biographies which are of the greatest value as aids to the study of modern English ideas and life.

The fourth edition of Digby's *History of the Law of Real Property* found its *raison d'être* in its adaptation to the unschooled reader of the book, if such there be, to whom the language of Glanvil and Bracton and *Magna Carta* is Greek, instead of good law-Latin. But the fifth edition (Oxford University Press) is little more than a reprint of its immediate predecessor, showing but slight traces of the fruitful labors of Maitland, Rounds, Pollock and Ames. It is by no means necessary that an introduction to the history of the law of real property should be kept up to the date of the latest act of Parliament; but a work of the character of Digby's, which makes its appeal not to the practitioner or the professional law school, but to the serious student of English and American law, cannot afford to ignore the remarkable results of recent investigations into the origin and early history of our land tenures. Pending the appearance of a sixth edition, — in the preparation of which Sir Frederick Pollock and Professor John C. Gray may well have a hand, — we must still congratulate ourselves on the possession of a handbook of property law as indispensable to the student as it is admirable in plan.

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The Chicago University Press has issued in the form of a doctor's dissertation a *Study of the Court of Star Chamber* (Chicago, 1900. — 82 pp.) by Cora L. Scofield. The monograph is largely based on manuscripts relating to the subject in the British Museum and the Public Record Office. Of these the writer gives a useful list. The treatment of the subject is fragmentary, but it shows in general the large and rapid extension of the jurisdiction of the court after the statute of Henry VII, till it became as great as that of the privy council itself. The relations between those two bodies are, however, indicated rather than clearly worked out.

Houghton, Mifflin & Co. have recently published two volumes treating in a clear and useful way very different phases of our naval history. *The Frigate Constitution*, by Ira N. Hollis, contains an interesting and complete narrative of the career of the famous ship which is properly called "the central figure of our navy under sail." In addition to the well-worn incidents of her cruises and battles, the author contributes a good deal of general information about naval procedure in the days of wind power and explains many things which, though once commonplace, have passed wholly out of the ken of intelligent men. Every reader is aware, for example, that great importance was attached by commanders to a position to windward of the enemy, but very few of the present generation can tell just why. Nor does the average reader have any conception of what really happened when "the captain wore ship," or "the ship wore round" — performances which constitute a staple of battle tactics. All this is very wisely made clear in Mr. Hollis's work. Lieut. Frank M. Bennett's volume, entitled *The Monitor and the Navy under Steam*, sketches the whole transformation which this title suggests, with special emphasis on the origin and history of the monitor type of armored vessel. The facts that he has put here into convenient form are for the most part quite familiar.

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